



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by CHAIRMAN NIGRO.

CALL TO ORDER: 6:02 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: CHAIRMAN TODD NIGRO, VICE CHAIRMAN RICHARD TRUESDELL, MEMBERS BYRON GOYNES, LAURA McSWAIN AND LEO DAVENPORT

EXCUSED: MEMBERS STEVEN EVANS AND DAVID STEINMAN

STAFF PRESENT: MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD – PLANNING & DEVELOPMENT DEPT., MARIO SUAREZ – PLANNING & DEVELOPMENT DEPT., FLINN FAGG – PLANNING & DEVELOPMENT DEPT., PETER LOWENSTEIN – PLANNING & DEVELOPMENT DEPT., BART ANDERSON – PUBLIC WORKS, GINA VENGLASS – PUBLIC WORKS, RICK SCHRODER – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, LEAN COLEMAN – CITY CLERK'S OFFICE, STACEY CAMPBELL – CITY CLERK'S OFFICE

GARY LEOBOLD, Director, Planning and Development Department, stated that the applicants requested the following items be held in abeyance, tabled or withdrawn without prejudice. Letters are on file for each of the requests.

Item 5 [VAC-5793]	Tabled
Item 9 [MOD-5784]	Tabled
Item 10 [ZON-5785]	Tabled

Item 11 [VAR-5786]	Tabled
Item 12 [VAR-5792]	Tabled
Item 13 [SDR-5781]	Tabled
Item 14 [ZON-5669]	Tabled
Item 18 [GPA-6270]	Withdrawn Without Prejudice
Item 19 [GPA-6273]	Abeyance to 05/26/2005 Planning Commission Meeting
Item 25 [MSH-6024]	Abeyance to 05/12/2005 Planning Commission Meeting
Item 56 [GPA-6333]	Abeyance to 05/12/2005 Planning Commission Meeting
Item 57 [ZON-6334]	Abeyance to 05/12/2005 Planning Commission Meeting
Item 58 [VAC-6163]	Abeyance to 05/12/2005 Planning Commission Meeting
Item 59 [SDR-6336]	Abeyance to 05/12/2005 Planning Commission Meeting

MR. LEOBOLD also indicated that staff requested the following items be held in abeyance, tabled or withdrawn without prejudice.

Item 23 [GPA-6363]	Abeyance to 05/12/2005 Planning Commission Meeting
Item 88 [TMP-6189]	Abeyance to 05/26/2005 Planning Commission Meeting
Item 89 [TXT-6421]	Abeyance to 05/12/2005 Planning Commission Meeting

MR. LEOBOLD also indicated that residents have requested the following items be held in abeyance. Letters are on file for each of the requests; however, the letters did not specify an abeyance date. Staff was later informed that May 12th would be an acceptable date for abeyance.

Item 69 [ZON-6231]	Abeyance to 05/12/2005 Planning Commission Meeting
Item 70 [VAR-6232]	Abeyance to 05/12/2005 Planning Commission Meeting
Item 71 [SDR-6233]	Abeyance to 05/12/2005 Planning Commission Meeting

Regarding Item 90 [TXT-6278], MR. LEOBOLD stated that there was request to bring this item forward so a discussion could take place.

Regarding Item 56, 57, 58 and 59, TABITHA KEETCH, Attorney, 3800 Howard Hughes Parkway, Las Vegas, NV represented the applicants on these items for BOB GRONAUER, Attorney, 3800 Howard Hughes Parkway, Las Vegas, NV. She clarified that the neighbors were contacted and informed that the request would be to hold the items in abeyance to May 12th.

In addition, she represented the applicant on Item 88 [TMP-6189] for ATTORNEY GRONAUER. She stated that staff's concerns have been addressed and requested the item be heard at this meeting and not held in abeyance.

Regarding the May 12th abeyance request on Item 25, CHRIS KAEMPFER, Attorney, KUMMER KAEMPFER BONNER & RENSHAW, 3800 Howard Hughes Parkway, informed the Commissioner that he would be out of town. He, along with PAUL LARSEN, Attorney, 300 S. 4th Street, asked if the item could be held to the May 26th Planning Commission meeting and still go forward to the June 1st City Council meeting. MARGO WHEELER, Planning and Development, responded that if the item was held to May 26th, it would not be sufficient time for notification and preparing documentation for the item to be heard at that meeting. After brief

discussion, it was agreed that the item would be held to the May 12th Planning Commission meeting, and ATTORNEY KAEMPFER would have someone else present at that meeting.

Regarding Item 69, 70 and 71 ATTORNEY LARSEN concurred with the abeyance of these items to the May 12th Planning Commission meeting. ANNA WILLIAMS, Neighborhood Alliance, 7451 O'Bannon Drive, appeared on behalf of the residents and stated she was not aware that there was an agreement to hold the items to May 12th. She did not believe the May 12th abeyance was sufficient time for the applicant to bring back a plan that is acceptable to the residents. In addition, this is the fourth meeting that some of the residents have attended. More than likely, at the May 12th Planning Commission meeting, the applicant would request another abeyance, and the residents would still have to come back for an additional meeting. She requested holding the items for one month. MR. LEOBOLD clarified for CHAIRMAN NIGRO that ASSEMBLYMAN MABEY was informed by staff that the next Planning Commission meeting was May 12th. Since there was not a request for a specific date to hold these items, the next meeting date was chosen.

CHAIRMAN NIGRO asked ATTORNEY LARSEN if an abeyance to May 26th would be amenable. ATTORNEY LARSEN was not sure of all the issues that needed to be discussed with the residents and/or what compromises there would be. If progress is made after a neighborhood meeting and additional time is needed, the request to abey would be made at the May 12th meeting. He added that he and MS. WILLIAMS have spoken and another neighborhood meeting would be scheduled and residents would be notified. In addition, COUNCILWOMAN TARKANIAN would be notified, as she has indicated she would like to attend the meeting as well.

COMMISSIONER DAVENPORT added that COUNCILWOMAN TARKANIAN requested additional time because she felt that the residents did not have sufficient notice. He stated that he has been substantially involved with this project and felt that a two-week abeyance would be sufficient time for the residents to receive proper notice and attend the meeting.

MR. LEOBOLD confirmed for CHAIRMAN NIGRO that the applicant requested to hold Item 56, 57, 58 and 59 to May 12th Planning Commission and staff concurred.

In fairness to the residents, COMMISSIONER McSWAIN added that the applicant agreed to a two-week abeyance, and stressed that it is incumbent upon the applicant to present a plan that is approvable by the Commission and/or City Council.

CHAIRMAN NIGRO stated that Item 90 [TXT-6278] and Item 91 [TXT-6359] would be brought forward for discussion.

McSWAIN – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; TABLE Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; WITHDRAW WITHOUT PREJUDICE Item 18 [GPA-6270] – UNANIMOUS with EVANS and STEINMAN excused

(6:04 – 6:20)



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

SUBJECT:

Approval of the minutes of the March 24, 2005 Planning Commission Meeting

MOTION:

McSWAIN - APPROVED – UNANIMOUS with TRUESDELL abstaining as he was not present at the aforementioned meeting and EVANS and STEINMAN excused

MINUTES:

There was no discussion.

(6:03)

1-40



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

CHAIRMAN NIGRO announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

CHAIRMAN NIGRO read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDA ITEM.



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

CHAIRMAN NIGRO noted the Rules of Conduct.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-6237 - TENTATIVE MAP - COKE AND MAGGIE EAST - APPLICANT/OWNER: COKE MAGGIE L.L.C. - Request for a Tentative Map FOR A 19 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 10.25 acres adjacent to the northeast corner of Maggie Avenue and Coke Street (APN 125-09-501-003), U (Undeveloped) Zone [RE (Rural Estates) General Plan Designation], Ward 6 (Mack).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – APPROVED subject to conditions Consent Item 1 [TMP-6237], Item 2 [TMP-6246], Item 3 [TMP-6271] and Item 4 [TMP-6286] – UNANIMOUS with NIGRO abstaining on Item 3, McSWAIN abstaining on Item 2, 3 and 4 and EVANS and STEINMAN excused

This is Final Action

NOTE: Chairman Nigro abstained on Item 3, as the applicant is in litigation with a firm that his company is involved with. Commissioner McSwain abstained on Items 2, 3 and 4, as her company, Terra Contracting, is presently under contract with the applicants.

MINUTES:

CHAIRMAN NIGRO stated this is a Consent item.

(6:20 – 6:21)

1-587

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 1 – TMP-6237

CONDITIONS:

Planning and Development

1. The design of the drainage easement shall be consistent with the adjoining easement to the west.
2. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
3. All development shall conform to the Conditions of Approval for VAR-5227 and SUP-4558.
4. Street names must be provided in accord with the City's Street Naming Regulations.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.
6. As an attachment to the civil bond, any part of which shall not be released until this condition has been satisfied and prior to the sale of any lots or units the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels.

Public Works

7. A Petition of Vacation, such as VAC-5508, to vacate the west half of Buffalo Drive adjacent to this site shall record prior to the recordation of a Final Map for this site adjacent to or overlying Buffalo Drive.
8. Dedicate 25.5 feet of right-of-way adjacent to this site for Maggie Avenue and the appropriate right-of-way for a cul-de-sac meeting current City Standards.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 1 – TMP-6237

CONDITIONS – Continued:

9. Construct half street improvements on Maggie Avenue, including appropriate overpaving and full turn-around (if legally able), adjacent to this site concurrent with development of this site. Installation of sidewalk on Maggie Avenue shall be deferred at this time provided that the developer sign and record a covenant running with the land for all urban improvements not constructed at this time. The exterior street lighting will be stubbed out for later use, but the installation of the streetlights shall be deferred provided that the developer provide to the City such streetlights for the future installation; alternatively, monies in lieu of such streetlights may be contributed to the City if allowed by the Department of Public Works.
10. Landscape and maintain all unimproved right-of-way, if any, on Maggie Avenue adjacent to this site, unless otherwise allowed by the City Engineer.
11. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the Maggie Avenue public right-of-way adjacent to this site prior to occupancy of this site, unless otherwise allowed by the City Engineer.
12. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
13. Site development to comply with all applicable conditions of approval for SUP-4558 and all other applicable site-related actions.
14. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 1 – TMP-6237

CONDITIONS – Continued:

deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-6246 - TENTATIVE MAP - LAKE MEAD/TORREY PINES - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: B-A.S.K.D. #2 NEVADA, LLC AND T.Y.M.Y. NEVADA LLC - Request for a Tentative Map FOR A 46 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 5.30 acres adjacent to the east side of Torrey Pines Drive, approximately 230 feet south of Lake Mead Boulevard (portion of APN 138-23-720-004), R-E (Residence Estates) Zone under Resolution of Intent to R-PD9 (Residential Planned Development - 9 units per acre), Ward 6 (Mack).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESEL – APPROVED subject to conditions Consent Item 1 [TMP-6237], Item 2 [TMP-6246], Item 3 [TMP-6271] and Item 4 [TMP-6286] – UNANIMOUS with NIGRO abstaining on Item 3, McSWAIN abstaining on Item 2, 3 and 4 and EVANS and STEINMAN excused

This is Final Action

NOTE: Chairman Nigro abstained on Item 3, as the applicant is in litigation with a firm that his company is involved with. Commissioner McSwain abstained on Items 2, 3 and 4, as her company, Terra Contracting, is presently under contract with the applicants.

MINUTES:

CHAIRMAN NIGRO stated this is a Consent item.

(6:20 – 6:21)

1-587

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 2 – TMP-6246

CONDITIONS – Continued:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Rezoning ZON-5816, Site Development Plan Review SDR-5815, and Variance VAR-5819.
3. Street names must be provided in accord with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. As an attachment to the civil bond, any part of which shall not be released until this condition has been satisfied and prior to the sale of any lots or units the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels.

Public Works

6. The Provide public sewers in each "cluster" or private drive. Provide Public Sewer Easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
7. Site development to comply with all applicable conditions of approval for ZON-5816, SDR-5815 and all other applicable site-related actions.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 2 – TMP-6246

CONDITIONS – Continued:

8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-6271 - TENTATIVE MAP - QUARTERHORSE ESTATES UNIT 4 - APPLICANT/OWNER: QUARTERHORSE FALLS ESTATES, LLC - Request for a Tentative Map FOR A 60 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 33.39 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard (APNs 125-11-508-003, 125-11-503-001, 002; 125-11-507-002 and 004), R-E (Residence Estates) Zone under Resolution of Intent to R-PD2 (Residential Planned Development- 2 units per acre) Zone, Ward 6 (Mack).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESEL – APPROVED subject to conditions Consent Item 1 [TMP-6237], Item 2 [TMP-6246], Item 3 [TMP-6271] and Item 4 [TMP-6286] – UNANIMOUS with NIGRO abstaining on Item 3, McSWAIN abstaining on Item 2, 3 and 4 and EVANS and STEINMAN excused

This is Final Action

NOTE: Chairman Nigro abstained on Item 3, as the applicant is in litigation with a firm that his company is involved with. Commissioner McSwain abstained on Items 2, 3 and 4, as her company, Terra Contracting, is presently under contract with the applicants.

MINUTES:

CHAIRMAN NIGRO stated this is a Consent item.

(6:20 – 6:21)

1-587

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 3 – TMP-6271

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Rezoning (ZON-5302) and (ZON-4200), Site Development Plan Reviews (SDR-4198) & (SDR-5304) and Variance (VAR-5306), as well as plans date stamped 04/06/05.
3. Street names must be provided in accord with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. As an attachment to the civil bond, any part of which shall not be released until this condition has been satisfied and prior to the sale of any lots or units the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels.

Public Works

6. A Petition of Vacation, such as VAC-5464, must record prior to the recordation of a Final Map overlying or abutting the existing right-of-way in conflict with this site plan. Vacations for those portions of Maverick Street and Maggie Avenue within Clark County adjacent to this site shall record prior to recordation of a Final Map overlying or abutting those portions of existing right-of-way. Should those vacations within Clark County not record, this Tentative Map shall be rendered as "null and void" and a revised Tentative Map shall be submitted to Planning and Development reflecting appropriate right-of-way dedications.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 3 – TMP-6271

CONDITIONS – Continued:

7. Submit a Petition of Vacation for 10-feet of right-of-way for those portions of Iron Mountain Road adjacent to this site that have 50-feet of existing right-of-way prior to submittal of a Final Map for this site. Such vacation shall record prior to a Final Map for this site. Alternatively, revise this Tentative Map to dedicate 50-feet of right-of-way on Iron Mountain Road.
8. Dedicate appropriate right-of-way for a knuckle meeting current City Standards at the intersection of Maggie Avenue and Maverick Street and construct appropriate half street improvements for the knuckle concurrent with development of this site unless a Petition of Vacation for Maggie Avenue in Clark County cannot be recorded, whereby appropriate dedication and construction for Maggie Avenue is required.
9. On the Final Map for this site, label the Multi Use Transportation Trail adjacent to this site along Iron Mountain Road as a "20-foot wide Multi-Use Trail Easement to be privately maintained by the Homeowner's Association". In addition, per Title 18 Appendix E, the Owner's Certificate shall include the following paragraph, "Provided, however, that no above-ground utility vaults that would substantially interfere with the intended use of the trail corridor shall be allowed within any easements, corridors, or common lots designated as public multi-use trail easement areas, and no such easement rights shall be granted to the above listed utility companies, nor any other parties, in conflict with this statement."
10. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.
11. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site.
12. Site development to comply with all applicable conditions of approval for ZON-4200, ZON-5302, SDR-4198, SDR-5304 and all other applicable site-related actions.
13. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-6286 - TENTATIVE MAP - LAMB-BINGHAM - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: FREDY SIDHOM AND JOEL ARMSTRONG - Request for a Tentative Map FOR A 32 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APNs 140-29-401-005 and 006), R-1 (Single Family Residential) Zone under Resolution of Intent to R-PD9 (Residential Planned Development - 9 units per acre) Zone, Ward 3 (Reese).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESEL – APPROVED subject to conditions Consent Item 1 [TMP-6237], Item 2 [TMP-6246], Item 3 [TMP-6271] and Item 4 [TMP-6286] – **UNANIMOUS** with NIGRO abstaining on Item 3, McSWAIN abstaining on Item 2, 3 and 4 and EVANS and STEINMAN excused

This is Final Action

NOTE: Chairman Nigro abstained on Item 3, as the applicant is in litigation with a firm that his company is involved with. Commissioner McSwain abstained on Items 2, 3 and 4, as her company, Terra Contracting, is presently under contract with the applicants.

MINUTES:

CHAIRMAN NIGRO stated this is a Consent item.

(6:20 – 6:21)

1-587

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 4 – TMP-6286

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-4545).
3. Street names must be provided in accord with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map.

Public Works

6. Prior to the submittal of a Final Map, coordinate with the City Surveyor to determine if a Reversionary Map or other map is necessary for this site.
7. A gated entry drive will not be permitted for this site unless otherwise allowed by the City Traffic Engineer.
8. Extend the median island on Lamb Boulevard to Bingham Avenue concurrent with development of this site acceptable to the City Engineer.
9. Provide proof acceptable to the Land Development Division of the Department of Public Works that the existing access agreement between this site and the parcel to the south has been terminated prior to submittal of a Final Map for this site.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 4 – TMP-6286

CONDITIONS – Continued:

10. Site development to comply with all applicable conditions of approval for ZON-4543 and all other applicable site-related actions.
11. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - VAC-5793 - VACATION - PUBLIC HEARING -
APPLICANT/OWNER: UNIPRO HOLDINGS, LLC - Petition to Vacate U.S. Government Patent Easements generally located west of Cliff Shadows Parkway, north of the Buckskin Avenue alignment, Ward 4 (Brown).

SET DATE: 05/18/05

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be **TABLED**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter

MOTION:

McSWAIN – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; TABLE Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; WITHDRAW WITHOUT PREJUDICE Item 18 [GPA-6270] – UNANIMOUS with EVANS and STEINMAN excused

MINUTES

There was no discussion.

(6:04 – 6:20)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SNC-6338 - STREET NAME CHANGE - PUBLIC HEARING - APPLICANT: MARY JANE JARVIS - OWNER: A & A, INC. - Request for a Street Name Change FROM: LEWIS AVENUE TO: CHEF ANDRE ROCHAT PLACE, between Sixth Street and Seventh Street, Ward 1 (Tarkanian).

SET DATE: 05/18/05

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – APPROVED subject to condition on Item 6 [SNC-6338] and APPROVED subject to conditions on Item 7 [RQR-6150] and Item 8 [RQR-6151] – UNANIMOUS with EVANS and STEINMAN excused

To be heard by the City Council on 6/01/2005

MINUTES:

CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 6 – SNC-6338

MINUTES – Continued:

CHAIRMAN NIGRO declared the Public Hearing open on Item 6 [SNC-6338], Item 7 [RQR-6150] and Item 8 [RQR-6151].

Regarding Item 6, VICE CHAIRMAN TRUESDELL questioned if the size of the street sign would accommodate the street name change. MARGO WHEELER, Planning and Development, responded that the words “Chef” and “Place” would be smaller than Andre Rochat. The proposed street name change is in anticipation of Mr. Rochat’s 25th anniversary in the subject location. Staff was happy to recommend approval and VICE CHAIRMAN TRUESDELL concurred.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 6 [SNC-6338], Item 7 [RQR-6150] and Item 8 [RQR-6151].

(6:31 – 6:34)

1-948

CONDITIONS:

Planning and Development

1. The applicant shall be responsible for all costs related to this Street Name Change including signage and installation.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RQR-6150 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: FERRIS INVESTMENTS, INC. - Required Two Year Review of an approved Required Review (RQR-1704) WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN AT A HEIGHT OF 65 FEET WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED at 2002 Highland Avenue (APN 162-04-301-008), M (Industrial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 06/01/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council Approval Letter for RQR-1704
5. Justification Letter

MOTION:

TRUESDELL – APPROVED subject to condition on Item 6 [SNC-6338] and APPROVED subject to conditions on Item 7 [RQR-6150] and Item 8 [RQR-6151] – UNANIMOUS with EVANS and STEINMAN excused

To be heard by the City Council on 6/01/2005

MINUTES:

CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 7 – RQR-6150

MINUTES – Continued:

CHAIRMAN NIGRO declared the Public Hearing open on Item 6 [SNC-6338], Item 7 [RQR-6150] and Item 8 [RQR-6151].

Regarding Item 6, VICE CHAIRMAN TRUESDELL questioned if the size of the street sign would accommodate the street name change. MARGO WHEELER, Planning and Development, responded that the words “Chef” and “Place” would be smaller than Andre Rochat. The proposed street name change is in anticipation of Mr. Rochat’s 25th anniversary in the subject location. Staff was happy to recommend approval and VICE CHAIRMAN TRUESDELL concurred.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 6 [SNC-6338], Item 7 [RQR-6150] and Item 8 [RQR-6151].

(6:31 – 6:34)

1-948

CONDITIONS:

Planning and Development

1. The Variance shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Variance shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of the Downtown Centennial Plan and Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. All City Code requirements and design standards of all City Departments shall be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RQR-6151 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT/OWNER: CLEAR CHANNEL OUTDOOR - Request for a Required Review of an approved Required Review (RQR-1706), WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN AT A HEIGHT OF 80 FEET WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED at 2130 Highland Avenue (APN 162-04-402-001), M (Industrial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 06/01/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council Approval Letter for RQR-1706
5. Justification Letter

MOTION:

TRUESDELL – APPROVED subject to condition on Item 6 [SNC-6338] and APPROVED subject to conditions on Item 7 [RQR-6150] and Item 8 [RQR-6151] – UNANIMOUS with EVANS and STEINMAN excused

To be heard by the City Council on 6/01/2005

MINUTES:

CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 8 – RQR-6151

MINUTES – Continued:

CHAIRMAN NIGRO declared the Public Hearing open on Item 6 [SNC-6338], Item 7 [RQR-6150] and Item 8 [RQR-6151].

Regarding Item 6, VICE CHAIRMAN TRUESDELL questioned if the size of the street sign would accommodate the street name change. MARGO WHEELER, Planning and Development, responded that the words “Chef” and “Place” would be smaller than Andre Rochat. The proposed street name change is in anticipation of Mr. Rochat’s 25th anniversary in the subject location. Staff was happy to recommend approval and VICE CHAIRMAN TRUESDELL concurred.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 6 [SNC-6338], Item 7 [RQR-6150] and Item 8 [RQR-6151].

(6:31 – 6:34)

1-948

CONDITIONS:

Planning and Development

1. The Variance shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Variance shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of the Downtown Centennial Plan and Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. All City Code requirements and design standards of all City Departments shall be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - MOD-5784 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT/OWNER: UNIPRO HOLDINGS, LLC - Request for a Major Modification of the Lone Mountain West Master Development Plan TO CHANGE THE LAND USE DESIGNATION FROM: L (LOW DENSITY RESIDENTIAL) TO: MFM (MULTI-FAMILY MEDIUM RESIDENTIAL), AND TO AMEND TABLES #1, #2, #3 AND #4 (SECTION 2.2) TO REFLECT CHANGES TO THE LAND USE CATEGORIES AND NUMBER OF RESIDENTIAL UNITS on 5.00 acres adjacent to the north side of Buckskin Avenue, approximately 340 feet west of Cliff Shadows Parkway (APN 137-12-301-009), Ward 4 (Brown).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be **TABLED**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter

MOTION:

McSWAIN – Motion to bring forward and **HOLD IN ABEYANCE** Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; **TABLE** Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; **WITHDRAW WITHOUT PREJUDICE** Item 18 [GPA-6270] – **UNANIMOUS** with EVANS and STEINMAN excused

MINUTES

There was no discussion.

(6:04 – 6:20)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - ZON-5785 - REZONING RELATED TO MOD-5784 - PUBLIC HEARING - APPLICANT/OWNER: UNIPRO HOLDINGS, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: PD (PLANNED DEVELOPMENT) on 5.00 acres adjacent to the north side of Buckskin Avenue, approximately 340 feet west of Cliff Shadows Parkway (APN 137-12-301-009), Ward 4 (Brown).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	5
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends this item be **TABLED**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter

MOTION:

McSWAIN – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; TABLE Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; WITHDRAW WITHOUT PREJUDICE Item 18 [GPA-6270] – UNANIMOUS with EVANS and STEINMAN excused

MINUTES

There was no discussion.

(6:31 – 6:34)

1-948

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - VAR-5786 - VARIANCE RELATED TO MOD-5784 AND ZON-5785 - PUBLIC HEARING - APPLICANT/OWNER: UNIPRO HOLDINGS, LLC - Request for a Variance TO ALLOW A PROPOSED 15 STORY BUILDING WHERE THREE STORIES IS THE MAXIMUM PERMITTED on 5.00 acres adjacent to the north side of Buckskin Avenue, approximately 340 feet west of Cliff Shadows Parkway (APN 137-12-301-009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development) Zone], Ward 4 (Brown).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	6
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends this item be **TABLED**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter

MOTION:

McSWAIN – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; TABLE Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; WITHDRAW WITHOUT PREJUDICE Item 18 [GPA-6270] – UNANIMOUS with EVANS and STEINMAN excused

MINUTES

There was no discussion.

(6:31 – 6:34)

1-948

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - VAR-5792 - VARIANCE RELATED TO MOD-5784, ZON-5785 AND VAR-5786 - PUBLIC HEARING - APPLICANT/OWNER: UNIPRO HOLDINGS, LLC
 - Request for a Variance TO ALLOW 168 PARKING SPACES WHERE 222 SPACES IS THE MINIMUM REQUIRED IN CONJUNCTION WITH A PROPOSED 15 STORY RESIDENTIAL CONDOMINIUM DEVELOPMENT on 5.00 acres adjacent to the north side of Buckskin Avenue, approximately 340 feet west of Cliff Shadows Parkway (APN 137-12-301-009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development) Zone], Ward 4 (Brown).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	5
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends this item be **TABLED**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter

MOTION:

McSWAIN – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; TABLE Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; WITHDRAW WITHOUT PREJUDICE Item 18 [GPA-6270] – UNANIMOUS with EVANS and STEINMAN excused

MINUTES

There was no discussion.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SDR-5781 - SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-5784, ZON-5785, VAR-5786 AND VAR-5792 - PUBLIC HEARING - APPLICANT/OWNER: UNIPRO HOLDINGS, LLC - Request for a Site Development Plan Review FOR A PROPOSED 15 STORY, 125 UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT on 5.00 acres adjacent to the north side of Buckskin Avenue, approximately 340 feet west of Cliff Shadows Parkway (APN 137-12-301-009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development) Zone], Ward 4 (Brown).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	5
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends this item be **TABLED**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter

MOTION:

McSWAIN – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; TABLE Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; WITHDRAW WITHOUT PREJUDICE Item 18 [GPA-6270] – UNANIMOUS with EVANS and STEINMAN excused

MINUTES

There was no discussion.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - ZON-5669 - REZONING - PUBLIC HEARING - APPLICANT/OWNER:
SMOKE RANCH, LLC - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) on 5.33 acres at the southeast corner of Smoke Ranch Road and Decatur Boulevard (APN 139-19-101-002), Ward 5 (Weekly).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – Motion to bring forward and **HOLD IN ABEYANCE** Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; **TABLE** Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; **WITHDRAW WITHOUT PREJUDICE** Item 18 [GPA-6270] – **UNANIMOUS** with **EVANS** and **STEINMAN** excused

MINUTES

There was no discussion.

(6:31 – 6:34)

1-948

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SDR-6109 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: SHEA COMMERCIAL - OWNER: CENTENNIAL RANCH, LLC, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 104,398 SQUARE FOOT OFFICE CONDOMINIUM COMPLEX on 10.04 acres adjacent to the south side of Azure Drive, approximately 1,250 feet west of Tenaya Way (APNs 125-27-113-003 and 125-27-222-007), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with EVANS and STEINMAN excused

To be heard by the City Council on 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, gave a brief overview of the application. The request replaces the previously approved site plan (SDR-4447) for a 122,477 square-foot office development on the property, and is an improvement over this plan. This proposal removes all parking areas facing Azure Drive and places them behind the buildings, creating an aesthetically appealing streetwall. The Multi-Use Transportation Trail has been partially constructed and will

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 15 – SDR-6109

MINUTES – Continued:

now be extended the length of the southern property line, connecting to Azure near the westernmost driveway. The trail layout is acceptable as shown on the site plan. In addition, a mix of 50 percent general and 50 percent medical/dental offices is the anticipated use, and the parking has been calculated accordingly.

MR. LEOBOLD pointed out that this application was held from the March 24th Planning Commission meeting due to a related Review of Condition application (ROC-6074) that was recently heard by the City Council prior to the hearing for this item. The condition contained a prohibition on buildings over one story in height, which this project features. The Commission can now hear the subject application, and staff recommended approval.

STEVE BAUER, Shea Commercial, 2850 S. Jones Boulevard, appreciated staff's assistance with the project and concurred with staff's conditions.

COMMISSIONER McSWAIN complimented the proposed development and believed it would be an appropriate buffer to the residential area.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(6:34 – 6:37)

1-1057

CONDITIONS:

Planning and Development

1. Approval of Site Development Plan Review (SDR-4447) shall be expunged.
2. An amended Master Sign Plan for the Tenaya Village Center shall be reviewed and approved by the Centennial Hills Architectural Review Committee – Town Center (CHARC-TC) prior to the issuance of sign permits.
3. Conformance to all applicable conditions of approval of Site Development Plan Review [Z-0076-98(20)].
4. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
5. All development shall be in conformance with the site plan and building elevations date stamped 03/18/05, except as amended by conditions herein.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 15 – SDR-6109

CONDITIONS – Continued:

6. The Multi-Use Transportation Trail shall be constructed as shown on the site plan and landscaped according to Condition Number 14 of Z-0076-98(20).
7. Prior to the time application is made for a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
9. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to the time application is made for a building permit for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
10. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

11. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
12. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 15 – SDR-6109

CONDITIONS – Continued:

13. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
14. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
15. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map or the issuance of any building permits, whichever may occur first. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.
16. Site development to comply with all applicable conditions of approval for Z-76-98, the Montecito East Commercial Subdivision, and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE - VAR-6228 - VARIANCE RELATED TO ZON-6103 - PUBLIC HEARING - APPLICANT/OWNER: TOWNE VISTAS, LLC - Request for a Variance TO ALLOW 38 FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A 180 FOOT SETBACK IN CONJUNCTURE WITH A PROPOSED 372 UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT COMPOSED OF SIX FOUR STORY BUILDINGS on 15.00 acres adjacent to the southeast corner of Bath Drive and Dapple Gray Road (APNs 125-20-301-012 through 014), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone] [M-TC (Medium Density Residential - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining as the owner of the subject property is involved in another project her company, Terra Contracting, is presently under contract with and EVANS and STEINMAN excused

To be heard by the City Council on 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 16 [VAR-6228] and Item 17 [SDR-6105].

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 16 – VAR-6228

MINUTES – Continued:

PETER LOWENSTEIN, Planning and Development, stated staff's recommendation was for denial on the Variance and the Site Development Plan Review applications, as there was no evidence of a unique or extraordinary circumstance. The applicant created a self-imposed hardship overbuilding the site with large multi-family buildings without consideration for surrounding properties. Alternative site design with an emphasis on fewer units would allow conformance to the Title 19 requirements.

TABITHA KEETCH, Attorney, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, Las Vegas appeared on behalf of the applicant. She gave a detailed overview of the applications. She pointed out the requested 50-foot setback is adjacent to the multi-family west of the proposed development. In addition, the subject site is set back 100 feet from the residential project to the north, which includes the Bath Drive right-of-way. There are also two buildings on the northwest corner of the site plan that has a center section cut out of the buildings, which meets the residential adjacency standards. A total of 75 percent of the buildings adjacent to Bath Drive and residential meet the residential adjacency standards. Furthermore, the remaining 25 percent have a 105-foot setback from the development. She concluded with stating there is also an amenity zone in the center of the subject development, which is approximately 142 square feet and crucial to the success of the development.

COMMISSIONER DAVENPORT supported the project and thanked ATTORNEY KEETCH for following up on his request and verified that the property to the north of the subject site, which has the greater setback, is vacant. The property to the west of the subject site is also vacant. ATTORNEY KEETCH concurred with staff's conditions.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 16 [VAR-6228] and Item 17 [SDR-6105].

(6:37 – 6:43)

1-1168

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning [ZON-6103] and Site Development Plan Review [SDR-6105].
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SDR-6105 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-6103 AND VAR-6228 - PUBLIC HEARING - APPLICANT/OWNER: TOWNE VISTAS, LLC - Request for a Site Development Plan Review FOR A 372 UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT COMPOSED OF SIX FOUR STORY BUILDINGS on 15.00 acres adjacent to the southeast corner of Bath Drive and Dapple Gray Road (APNs 125-20-301-012 through 014), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone] [M-TC (Medium Density Residential - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining as the owner of the subject property is involved in another project her company, Terra Contracting, is presently under contract with and EVANS and STEINMAN excused

To be heard by the City Council on 6/01/2005

MINUTES:

See Item 16 [VAR-6228] for all related discussion on Item 16 [VAR-6228] and Item 17 [SDR-6105].

(6:37 – 6:43)

1-1168

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 17 – SDR-6105

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-6103] approved by the City Council.
2. Approval and conformance to a Variance [VAR-6228] application for deviation from the Residential Adjacency Standards, prior to issuance of any permits.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations date stamped 04/14/08, except as amended by conditions herein.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
6. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
7. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 17 – SDR-6105

CONDITIONS – Continued:

11. The road frontage of Bath Drive shall conform to the development standards of a Town Center Collector as described in the Town Center Development Standards Manual Section C, Figure 5.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
14. Gated access driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222a.
15. Landscape and maintain all unimproved right-of-way, if any, on Bath Drive adjacent to this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-6270 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: WESTCARE WORKS, INC. - Request to amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 5.21 acres adjacent to the southwest corner of Bradley Road and Duncan Drive (APN 138-12-110-048), Ward 6 (Mack).

C.C.: 05/18/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	4
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – Motion to bring forward and **HOLD IN ABEYANCE** Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; **TABLE** Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; **WITHDRAW WITHOUT PREJUDICE** Item 18 [GPA-6270] – **UNANIMOUS** with **EVANS** and **STEINMAN** excused

MINUTES

There was no discussion.

(6:04 – 6:20)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-6273 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: ROSE BUD DEVELOPMENT, LLC - OWNER: JEFF JORDAN, ET AL - Request to amend a portion of the Southeast Sector Plan of the General Plan FROM: ML (MEDIUM-LOW DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 0.89 acres adjacent to the east side of Dike Road, approximately 150 feet north of Bonanza Road (139-29-704-019 through 023), Ward 5 (Weekly).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; TABLE Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; WITHDRAW WITHOUT PREJUDICE Item 18 [GPA-6270] – UNANIMOUS with EVANS and STEINMAN excused

MINUTES

There was no discussion.

(6:04 – 6:20)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-6287 - GENERAL PLAN AMENDMENT - PUBLIC HEARING -
APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a General Plan Amendment to revise portions of the Conservation Element related to water conservation, water quality, and drainage.

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map – Not Applicable
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

DAVENPORT – APPROVED – UNANIMOUS with EVANS and STEINMAN excused

To be heard by the City Council on 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

ANDY REED, Planning and Development, stated that the request is to revise portions of the Conservation Element related to water conservation, water quality and drainage. The objectives provide the foundation and vision for the city's role in conserving water resources, while the policies represent steps the city can take to increase or improve its existing conservation efforts.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(6:43 – 6:44)

1-1401

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-6288 - GENERAL PLAN AMENDMENT - PUBLIC HEARING -
APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a General Plan Amendment to add a Water element containing goals, policies and objectives related to water conservation, water quality, and drainage.

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map – Not Applicable
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:

TRUEDELL – APPROVED – UNANIMOUS with EVANS and STEINMAN excused

To be heard by the City Council on 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

ANDY REED, Planning and Development, stated that the new objectives and policies set forth in the Water Element provide the foundation and vision for the city's role in conserving water resources. In addition, the new goals and objectives underscore the importance of cooperation between the city and other entities. Water Element is consistent with the 2020 Master Plan and the Nevada Revised Statutes.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(6:44 – 6:45)

1-1448

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-6362 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CARINA CORPORATION - Request to modify Exhibit 1 ("Multi-Use Transportation Trail") of the Transportation Trails Element of the Las Vegas 2020 Master Plan TO ALLOW AN EIGHT FOOT CONCRETE PATH WHERE 10 FEET IS REQUIRED FOR A PROPOSED MULTI-USE TRANSPORTATION TRAIL along the west side of Tule Springs Road and the south side of Farm Road (APNs 125-17-702-003 and 005), Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – DENIED – Motion carried with GOYNES voting NO, McSWAIN abstaining as her company, Terra Contracting, is presently bidding work for the applicant and EVANS and STEINMAN excused

To be heard by the City Council on 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, gave a brief overview of the application. He pointed out that the request is to modify the trail alignment adjacent to Tule Springs Road and Farm Road. The proposed development would add an additional 1,600 daily trips to the trail segment. Staff reviewed an analysis from the American Association of Street and Highway

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 22 – GPA-6362

MINUTES – Continued:

Traffic Officials (AASHTO), and the study included how wide trails should be to accommodate two-way traffic. In this case, the recommendation is for a 10-foot wide trail. The trail standards are designed to contribute not just to the subject development but should be kept with the current standards. For safety reasons and the overall aesthetics, staff recommended denial.

REBECCA RALSTON and JOHN BONE, Carina Homes, 1050 Indigo Drive, Las Vegas, reiterated staff's overview of the application. MS. RALSTON pointed out that the request is only for a two-foot reduction in the concrete cross section, which would allow for the double row of trees along Tule Springs and would be a better enhancement along this corridor. MR. BONE also showed photos of nearby developments with reduced trail widths at five, six and eight feet.

VICE CHAIRMAN TRUESDELL questioned how some trails less than 10 feet in width have been approved in the past. MR. LEOBOLD responded that some of the trails shown in the photos by MR. BONE are not all part of the Master Plan. There are different standards within Town Center versus what is in the transportation trails element; however, the overall regional plan would take precedence should a conflict arise.

VICE CHAIRMAN TRUESDELL complimented the proposed development but preferred having consistency relative to the trail widths. COMMISSIONER GOYNES concurred and then confirmed with MS. RALSTON that the reason for requesting the decreased trail width is strictly from an aesthetic point of view, as trees have been hand selected for the entire Tule Springs and main street areas. The Commissioner was concerned that a precedent may be set and other applicants would have similar requests for aesthetic reasons also. In addition, his focus was ensuring that the full benefits of the trail would be utilized.

After further discussion, MR. LEOBOLD pointed out that staff did not oppose the applicant's suggestion for a wider amenity zone with the trees; staff's concern is that the width of the trail needs to accommodate the traffic volume. COMMISSIONER DAVENPORT suggested moving the proposed development on the site to add the extra two feet and the specific type of trees, as this may suffice the applicant's desires. He believed this constraint was self imposed and would not support the project.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(6:45 – 7:01)

1-1489

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-6363 - GENERAL PLAN AMENDMENT - PUBLIC HEARING -
APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a General Plan Amendment to adopt an updated Land Use Element and revise the 2020 Master Plan.

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE** to the May 12, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map – Not Applicable
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable

MOTION:

McSWAIN – Motion to bring forward and **HOLD IN ABEYANCE** Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; **TABLE** Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; **WITHDRAW WITHOUT PREJUDICE** Item 18 [GPA-6270] – **UNANIMOUS** with **EVANS** and **STEINMAN** excused

MINUTES

There was no discussion.

(6:04 – 6:20)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-6261 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: MONA H. AGAMEZ - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: T-C (TOWN CENTER) [GC -TC (General Commercial – Town Center) Special Land Use Designation] on 0.51 acres at 8560 West Regena Avenue (APN 125-29-502-013), Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN– APPROVED subject to conditions – UNANIMOUS with EVANS and STEINMAN excused

To be heard by the City Council on 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

PETER LOWENSTEIN, Planning and Development, stated the proposed reclassification of the subject site is compatible with the surrounding area and is in conformance with the General Plan. Staff recommended approval.

DAVE McKEE, Architect, HL 31 Box 238, Sandy Valley, NV 89019 appeared on behalf of the applicant and concurred with staff's conditions.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 24 – ZON-6261

MINUTES – Continued:

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(7:01 – 7:02)

1-2126

CONDITIONS:

Planning and Development

1. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

2. Construct half-street improvements including appropriate transitional paving on Regena Avenue meeting Town Center Standards adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). Also, extend a minimum of 2 lanes of paving in the Regena Avenue alignment westerly to tie into exiting paving.
3. This site shall connect to the public sewer system.
4. Extend public sewer in Regena Avenue to the western edge of this site to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
5. Submit a Petition of Vacation for the excess right-of-way that exists at the westerly private drive entrance.
6. An update to the Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

MSH-6024 - MASTER PLAN OF STREETS AND HIGHWAYS - PUBLIC HEARING - APPLICANT: TRIPLE FIVE DEVELOPMENT, NEVADA - OWNER: GREAT MALL LAS VEGAS, LLC - Request to amend the Master Plan of Streets and Highways TO REALIGN A PORTION OF GRAND MONTECITO PARKWAY BETWEEN DORRELL LANE AND DEER SPRINGS, Ward 6 (Mack).

SET DATE: 05/18/05

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; TABLE Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; WITHDRAW WITHOUT PREJUDICE Item 18 [GPA-6270] – UNANIMOUS with EVANS and STEINMAN excused

MINUTES

There was no discussion.

(6:04 – 6:20)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-6254 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: BECKER REALTY INC - OWNER: UNICORN BRENT LLC, ET AL - Request to amend a portion of the Centennial Hills Sector Plan of the General Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: ML (MEDIUM-LOW DENSITY RESIDENTIAL) on 7.99 acres adjacent to the southwest corner of Brent Lane and Thom Boulevard (APNs 125-12-602-001 and 125-12-601-002), Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – Motion for Approval failed due to lack of super majority, which is tantamount to **DENIAL** with McSWAIN abstaining as her company, Terra Contracting, is doing work and bidding work for Becker Realty and EVANS and STEINMAN excused

To be heard by the City Council on 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 26 [GPA-6254], Item 27 [ZON-6255] and Item 28 [SDR-6256].

PETER LOWENSTEIN, Planning and Development, gave a brief overview of the applications. Staff recommended denial on the General Plan Amendment (GPA) and the companion

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 26 – GPA-6254

MINUTES – Continued:

applications, as the density is inappropriate, and an intermediate density would facilitate a more consistent transition that would be in conformance with the Centennial Hills Sector Plan.

Because the application was a GPA and only four Commissioners were voting on these items, CHAIRMAN NIGRO advised the applicant that five Commissioners needed to vote in the affirmative to approve the GPA and the companion items. As a result, the vote would be tantamount to a denial but comments made would go forward to Council. However, the applicant could request to hold the items in abeyance should the applicant desire a formal recommendation of approval.

FLORA JACKSON, Dan Hart and Associates, 3900 Paradise Road, Las Vegas, NV requested a discussion take place on the applications at this meeting. She commented that the conditions have changed since the adoption of the GPA, as there has been a major increase of housing developments and the costs for these homes continue to rise. In addition, approving the GPA on a portion of the Master Plan to R-PD7 would allow for construction of more reasonably priced homes, which would mirror the quality of homes already constructed in the neighboring parcels. The residents did not attend the neighborhood meeting on March 28th, but the developer did respond to several phone calls from residents and explained the proposed development to them. MS. JACKSON concluded by reiterating some of staff's report and findings, which included the subject development would not have a negative impact on neighborhood traffic and the building elevations and design characteristics create an aesthetically pleasing and harmonious environment.

VICE CHAIRMAN TRUESDELL agreed that the subject area has had some changes but noted that even if this development occurred, affordability could still be an issue given the different perceptions of what is affordable. However, he felt that the proposed development would not drastically change what was envisioned for the adjacent parcels on the Master Plan. He would support the applications.

CHAIRMAN NIGRO concurred with the Vice Chairman. He also appreciated the developer placing the open space on the appropriate side of the project, adjacent to the larger lots. He supported the proposed development.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 26 [GPA-6254], Item 27 [ZON-6255] and Item 28 [SDR-6256].

(7:02 – 7:11)

1-2186

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-6255 - REZONING RELATED TO GPA-6254 - PUBLIC HEARING - APPLICANT: BECKER REALTY INC - OWNER: UNICORN BRENT LLC, ET AL - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE) on 7.99 acres adjacent to the southwest corner of Brent Lane and Thom Boulevard (APNs 125-12-602-001 and 125-12-601-002), Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESDELL – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining as her company, Terra Contracting, is doing work and bidding work for the applicant and EVANS and STEINMAN excused

To be heard by the City Council on 6/01/2005

MINUTES:

See Item 26 [GPA-6254] for all related discussion on Item 26 [GPA-6254], Item 27 [ZON-6255] and Item 28 [SDR-6256].

(7:02 – 7:11)

1-2186

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 27 – ZON-6255

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-6254) approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review (SDR-6256) approved by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Construct half-street improvements, including appropriate transition paving, on Brent Lane and Thom Boulevard adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
6. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the submittal of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6256 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-6254 AND ZON-6255 - PUBLIC HEARING - APPLICANT: BECKER REALTY INC - OWNER: UNICORN BRENT LLC, ET AL - Request for a Site Development Plan Review FOR A 55 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 7.99 acres adjacent to the southwest corner of Brent Lane and Thom Boulevard (APNs 125-12-602-001 and 125-12-601-002), R-E (Residence Estates) Zone [PROPOSED: R-PD7 (Residential Planned Development - 7 units per acre) Zone], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESEL - APPROVED subject to conditions - UNANIMOUS with McSWAIN abstaining as her company, Terra Contracting, is doing work and bidding work for the applicant and EVANS and STEINMAN excused

To be heard by the City Council on 6/01/2005

MINUTES:

See Item 26 [GPA-6254] for all related discussion on Item 26 [GPA-6254], Item 27 [ZON-6255] and Item 28 [SDR-6256].

(7:02 – 7:11)

1-2186

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 28 – SDR-6256

CONDITIONS:

Planning and Development

1. Approval by the City Council of a General Plan Amendment (GPA-6254) and a Rezoning application (ZON-6255).
2. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations date stamped 03/10/03, except as amended by conditions herein.
4. The site plan shall be revised and approved by staff of the Planning and Development Department, prior to the time application is made for a tentative map, to reflect the conditions of this report.
5. The standards for this development shall be established as follows:

Standard	Provided
Min. Lot Size	3,488 square feet
Min. Lot Width	34 feet
Min. Setbacks	
• Front	20 feet
• Front (side loaded)	15 feet
• Side	3 feet
• Corner	10 feet
• Rear	10 feet
Max. Lot Coverage	80 percent
Max. Building Height	two stories

The front yard shall be measured from the back of sidewalk or from the street curb where a sidewalk does not exist.

6. One-story homes shall be constructed on Lots 53, 54, and 55.
7. The landscape plan shall be revised and approved by staff of the Planning and Development Department, prior to the time application is made for a tentative map, to show an additional 10,439 square feet of streetscape or other open space that complies with the restrictions for open space of Title 19.
8. Air conditioning units shall not be mounted on rooftops.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 28 – SDR-6256

CONDITIONS – Continued:

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. All property line walls shall be decorative block walls, with at least 20 percent contrasting materials, and they shall not exceed a height of eight feet, including the height needed for retaining. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade. Where a greater wall height is needed, it shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of eight feet.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures.
12. All City code requirements and design standards of all City departments shall be satisfied.
13. No turf shall be placed in the non-recreational common areas, such as medians and amenity zones in this development.

Public Works

14. A homeowners association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
15. Grant pedestrian walkway easements for all public sidewalks not located within public right-of-way.
16. Landscape and maintain all unimproved right(s)-of-way, if any, adjacent to this site.
17. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site.
18. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-6285 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: TANEY ENGINEERING - OWNER: GREGORY G. & CAROL S. HATFIELD - Request to amend a portion of the Centennial Hills Sector Plan of the General Plan FROM: R (RURAL DENSITY RESIDENTIAL) TO: ML (MEDIUM-LOW DENSITY RESIDENTIAL) on 4.16 acres, adjacent to the east side of Balsam Street, approximately 550 feet north of Ann Road (APN 125-27-803-003), Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS and STEINMAN excused

To be held in abeyance to the 5/12/2005 Planning Commission meeting

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 29 [GPA-6285], Item 30 [ZON-6291], Item 31 [VAC-6293], Item 32 [VAR-6289] and Item 33 [SDR-6294].

MARIO SUAREZ, Planning and Development, gave a detailed overview of the applications. He added that the proposed development meets parking requirements, and the main entry includes decorative paving and landscape areas. Staff recommended approval.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 29 – GPA-6285

MINUTES – Continued:

GINA VENGLASS, Public Works, read into record the amendment on Condition 6 of Item 30 [ZON-6291].

ROBERT CUNNINGHAM, Taney Engineering, 4445 S. Jones Boulevard, Las Vegas, NV 89103 thanked staff on a comprehensive report. He added two neighborhood meetings were held and there were major modifications done to the site plan to assist in mitigating some of the residents' concerns.

JOANNE MILTON, 5785 N. Rainbow Boulevard and BEN CATER, 6785 Haven Hollow Avenue, were not notified of any neighborhood meetings and opposed the subject development. MS. MILTON resides on an approximately two-acre parcel and did not want the subject development behind her. MR. CATER requested that the larger lots with single story homes be on the northern edge of the proposed development, if approved. They were also concerned with the one entrance/exit on the subject site, as this would have an impact on traffic.

CECELIA LOBB, 6781 Haven Hollow Avenue, did not support the density but still supported the subject development. She requested the larger lots with single story homes be on the northern edge of the proposed development.

COMMISSIONER McSWAIN agreed with MS. MILTON and was concerned with how the proposed development would line up with the existing Residential Estates (RE) lots on Rainbow Boulevard. She suggested having the open space redistributed to minimize the impact on these lots. MR. CUNNINGHAM responded that the open space was adjusted based on the residents' comments at the neighborhood meeting. One area of open space is on the southeast corner of the subject site to act as a buffer from the daycare facility. COMMISSIONER McSWAIN could not support the proposed development, due to the intense impact on the RE lots to the east of the subject site.

MR. CUNNINGHAM advised VICE CHAIRMAN TRUESDELL that the developer to the immediate south of the project may be purchasing this subject site. VICE CHAIRMAN TRUESDELL responded that this is the third application that has come before the Commission on these adjacent parcels and could ultimately end up having the same developer for all three parcels. He felt that if the projects were brought together, it could have avoided piece meal planning and a waiver would not currently be needed. In addition, the site plan was compromised, and the residents did not have an opportunity for this infill piece to be an improvement and bring value to their residential community. MR. CUNNINGHAM stated that he was not involved with the other two parcels but has tried to work with the residents in developing the subject parcel. VICE CHAIRMAN TRUESDELL could not support the applications.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 29 – GPA-6285

MINUTES – Continued:

CHAIRMAN NIGRO agreed with the Commissioners' comments and could not support the applications.

MR. CUNNINGHAM stated notices were mailed to residents for the neighborhood meeting and apologized if some residents did not receive notification. COMMISSIONER McSWAIN felt he was sincere but emphasized that there needs to be some consideration for residents when a development has such an intense impact on their properties. Both the Chairman and the Commissioner agreed that the open space could be adjusted but not solely around the C-1 property. Although MR. CUNNINGHAM stated he was informed at a neighborhood meeting that the three adjacent parcels were in escrow and would be a future subdivision, COMMISSIONER McSWAIN informed him that the decision would have to be based on the current zoning and existing development. She appreciated MR.CUNNINGHAM'S willingness to redesign the site plan with emphasis on decreasing the impact along the eastern property line. MR. CUNNINGHAM agreed to a two-week abeyance.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 29 [GPA-6285], Item 30 [ZON-6291], Item 31 [VAC-6293], Item 32 [VAR-6289] and Item 33 [SDR-6294].

(7:11 – 7:33)

1-2571

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-6291 - REZONING RELATED TO GPA-6285 - PUBLIC HEARING - APPLICANT: TANEY ENGINEERING - OWNER: GREGORY G. & CAROL S. HATFIELD - Request for a Rezoning FROM: U (UNDEVELOPED) [R (Rural Density Residential) General Plan Designation] TO: R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE) on 4.16 acres adjacent to the east side of Balsam Street, approximately 550 feet north of Ann Road (APN 125-27-803-003), Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS and STEINMAN excused

To be held in abeyance to the 5/12/2005 Planning Commission meeting

MINUTES:

See Item 29 [GPA-6285] for all related discussion on Item 29 [GPA-6285], Item 30 [ZON-6291], Item 31 [VAC-6293], Item 32 [VAR-6289] and Item 33 [SDR-6294].

(7:11 – 7:33)

1-2571

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAC-6293 - VACATION RELATED TO GPA-6285 AND ZON-6291 - PUBLIC HEARING - APPLICANT: TANEY ENGINEERING - OWNER: GREGORY G. & CAROL S. HATFIELD - Petition to Vacate a portion of Balsam Street, Ward 6 (Mack).

SET DATE: 05/18/05

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS and STEINMAN excused

To be held in abeyance to the 5/12/2005 Planning Commission meeting

MINUTES:

See Item 29 [GPA-6285] for all related discussion on Item 29 [GPA-6285], Item 30 [ZON-6291], Item 31 [VAC-6293], Item 32 [VAR-6289] and Item 33 [SDR-6294].

(7:11 – 7:33)

1-2571

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-6289 - VARIANCE RELATED TO GPA-6285, ZON-6291, AND VAC-6293 - PUBLIC HEARING - APPLICANT: TANEY ENGINEERING - OWNER: GREGORY G. & CAROL S. HATFIELD - Request for a Variance TO ALLOW A PLANNED UNIT DEVELOPMENT TO BE LESS THAN FIVE ACRES FOR A PROPOSED RESIDENTIAL DEVELOPMENT on 4.16 acres adjacent to the east side of Balsam Street, approximately 550 feet north of Ann Road (APN 125-27-803-003), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS and STEINMAN excused

To be held in abeyance to the 5/12/2005 Planning Commission meeting

MINUTES:

See Item 29 [GPA-6285] for all related discussion on Item 29 [GPA-6285], Item 30 [ZON-6291], Item 31 [VAC-6293], Item 32 [VAR-6289] and Item 33 [SDR-6294].

(7:11 – 7:33)

1-2571

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6294 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-6285, ZON-6291, VAC-6293, AND VAR-6289 - PUBLIC HEARING - APPLICANT: TANEY ENGINEERING - OWNER: GREGORY G. & CAROL S. HATFIELD - Request for a Site Development Plan Review FOR A 36 LOT RESIDENTIAL DEVELOPMENT on 4.16 acres adjacent to the east side of Balsam Street, approximately 550 feet north of Ann Road (APN 125-27-803-003), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation], [PROPOSED: R-PD8 (Residential Planned Development - 8 units per acre)], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS and STEINMAN excused

To be held in abeyance to the 5/12/2005 Planning Commission meeting

MINUTES:

See Item 29 [GPA-6285] for all related discussion on Item 29 [GPA-6285], Item 30 [ZON-6291], Item 31 [VAC-6293], Item 32 [VAR-6289] and Item 33 [SDR-6294].

(7:11 – 7:33)

1-2571

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-6296 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: D.R. HORTON, INC. - OWNER: RANCHO DRIVE, LLC - Request to amend a portion of the Centennial Hills Sector Plan of the General Plan FROM: O (OFFICE) AND SC (SERVICE COMMERCIAL) TO: L (LOW DENSITY RESIDENTIAL) on a 5.0 acre portion of a 74.46 acre site adjacent to the east side of Rainbow Boulevard, approximately 500 feet south of Rancho Santa Fe Drive (APN 125-35-301-014), Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Justification Letter

MOTION:

TRUESDELL – Motion for Approval failed due to lack of super majority, which is tantamount to **DENIAL** with **McSWAIN** abstaining because her company, Terra Contracting, is presently bidding work for **DR Horton** and **STEINMAN** and **EVANS** excused

To be heard by the City Council on 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 34 [GPA-6296], Item 35 [ZON-6302] and Item 36 [SUP-6314].

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 34 – GPA-6296

MINUTES – Continued:

He explained that the Board would hear the application for the General Plan Amendment; however, a motion for approval would still be tantamount to a denial because super majority could not be achieved.

PETER LOWENSTEIN, Planning and Development Department, gave an overview of the applications. The proposed requests are compatible with the surrounding planned area and the Special Use Permit does conform to the base conditions for the private street.

JOHN WIESS and LUKE BOWLAND, GC Wallace Engineers, 2580 Anthem Village Drive, Henderson, Nevada, appeared on behalf of the applicant. The neighborhood meeting went well and the residents seemed pleased about the project.

CHARLIE WEBER, 6601 Welcome Lane, indicated the applicant's plans did not account for a drainage pathway out from Welcome Lane. The City had redirected water off of Rainbow Boulevard towards the property in question and the plan does not address that. Also, the nearby school, Ernest Jay Elementary School, is overwhelmed because it was built to accommodate ranch estate homes in the area. The donation of a portable classroom would help alleviate the congestion. He concluded by asking if the existing trees would remain or be replaced and he suggested all notifications be mailed certified. MR. WIESS was unsure about the status of the trees.

JEAN ESSON, 6620 Welcome Lane, stated she just purchased her home last year. She did not approve of the proposed plan and feared for the safety of her young grandchildren. DONALD RENNIE, 5108 Back Street, also opposed the project. He was not able to attend the meeting and asked if Welcome Lane was proposed as an access to the site. MR. WIESS explained the access would be solely off of Torrey Pines Lane. He also questioned the possibility of having a privacy wall built behind his home. MR. WIESS replied that the plans did provide for construction of a wall.

VICE CHAIRMAN TRUESDELL stated the applicant did address the issues relating to access points and the proximity of the project against the existing residences. He would support the applications.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 34 [GPA-6296], Item 35 [ZON-6302], and Item 36 [SUP-6314].

(7:33 – 7:44)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-6302 - REZONING RELATED TO GPA-6296 - PUBLIC HEARING - APPLICANT: D.R. HORTON, INC. - OWNER: RANCHO DRIVE, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL) on a 27.00 acre portion of a 74.46 acre site adjacent to the east side of Rainbow Boulevard, approximately 500 feet south of Rancho Santa Fe Drive (APN 125-35-301-014), Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESEL - APPROVED subject to conditions - UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is presently bidding work for DR Horton and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 34 [GPA-6296] for all related discussion on Item 34 [GPA-6296], Item 35 [ZON-6302] and Item 36 [SUP-6314].

(7:33 – 7:44)
2-155

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 35 – ZON-6302

CONDITIONS:

Planning and Development

1. There shall be absolutely no ingress/egress to or from Rebecca Road.
2. A General Plan Amendment (GPA-6296) to an L (Low Density Residential) land use designation approved by the City Council.
3. A Resolution of Intent with a two-year time limit.
4. Setbacks for any future development shall conform to the Development Standards set forth by Title 19.08.040 for an R-1 (Single Family Residential) zoning district.

Public Works

5. Coordinate with the City Surveyor to determine the appropriate methods to map this overall parcel to establish legal boundaries for this site prior to submittal of a map subdividing this site.
6. Dedicate those portions of right-of-way on Rebecca Road necessary for a cul-de-sac meeting current City Standards.
7. Construct half-street improvements on Torrey Pines Drive, the remainder of Rebecca Road, including the full cul-de-sac, and remove and replace substandard improvements on Rainbow Boulevard adjacent to the overall parcel of which this site is a part. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-6314 - SPECIAL USE PERMIT RELATED TO GPA-6296 AND ZON-6302 - PUBLIC HEARING - APPLICANT: D.R. HORTON, INC. - OWNER: RANCHO DRIVE, LLC - Request for a Special Use Permit FOR PRIVATE STREETS IN CONJUNCTION WITH A PROPOSED 102 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION adjacent to the east side of Rainbow Boulevard, approximately 500 feet south of Rancho Santa Fe Drive (APN 125-35-301-014), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential) Zone], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESEL - APPROVED subject to conditions - UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is presently bidding work for DR Horton and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 34 [GPA-6296] for all related discussion on Item 34 [GPA-6296], Item 35 [ZON-6302] and Item 36 [SUP-6314].

(7:33 – 7:44)

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 36 – SUP-6314

CONDITIONS:

Planning and Development

1. There shall be absolutely no ingress/egress to or from Rebecca Road.
2. Conformance to all Minimum Requirements under Title 19.04.040 for Private Streets (Residential).
3. Approval of and conformance to the Conditions of Approval for Rezoning [ZON-6302].
4. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

6. Gated entry drives shall be designed, located and constructed in accordance with Standard Drawing #222A.
7. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
8. Private streets shall be public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowner's Association.
9. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
10. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-6302 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-6298 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: SOUTHWEST HOMES - OWNER: LOWE'S HIW, INC. - Request to amend a portion of the Centennial Hills Sector Plan of the General Plan FROM: O (OFFICE) AND SC (SERVICE COMMERCIAL) TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 17.31 acres adjacent to the west side of Jones Boulevard, approximately 830 feet north of Craig Road (portion of APN 138-02-601-004), Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Photos of subject site submitted by Orvie Dahl (filed under Item 37)

MOTION:

TRUESEL – DENIED – UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is presently bidding work with Southwest Homes and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

CHAIRMAN NIGRO declared the Public Hearing open on Item 37 [GPA-6298], Item 38 [ZON-6300], Item 39 [WVR-6441], Item 40 [VAR-6305] and Item 41 [SDR-6307].

The Chairman explained that the Board would hear the application for the General Plan Amendment; however, a motion for approval would still be tantamount to a denial because super majority could not be achieved.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 37 – GPA-6298

MINUTES:

MARIO SUAREZ, Deputy Director, Planning and Development Department, gave an overview of the applications. The areas of concern on the proposed development is the design and density and compatibility to the surrounding neighborhood. The proposal includes a request for waivers to allow the design of blocks and private drives to be longer than that which is permitted by Code. Staff is concerned that the proposed design would result in safety hazards for trash and utility trucks that will be forced to back out of the streets. The Variance request on the open space is also a serious concern because there is minimal open space provided for the 182-unit development. The lack of open space combined with the current design creates a canyon effect. On the project's merits to meet the basic requirement and level of an R-PD, the proposal is inadequate and staff recommended denial.

JON FIELD, Attorney, Kummer Kaempfer Bonner and Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. The proposed development serves as a less intense residential buffer than what is planned for the subject parcel and the upcoming development on the northwest corner of Jones Boulevard and Craig Road, a Lowe's Super Center with commercial and retail uses.

Addressing the question of compatibility, ATTORNEY FIELD referenced the Centennial Hills Sector Plan Concept/Land Use map, which designates the subject site as Village/Commercial and allows for a residential portion of MLA (Medium-Low Attached Density Residential), the designation being sought for the General Plan Amendment. The concept map provides a reference for the direction of future growth in the area. The MLA classification is allowable in the Village/Commercial area. The site is presently planned for Service Commercial and Office/Professional. The residential subdivision, as proposed, would be a less intense use and could serve as a buffer to the residential communities to the north and west of the subject site.

A neighborhood meeting was held and the primary concern of area residents was that single story homes be constructed along the north property line and adjacent to the five or six existing homes along the west boundary. The applicant incorporated the neighbors' comments into the revised site plan, and a single story buffer is planned along all the existing residential uses in the area.

LINDA WEST MYERS, 5104 Cold River Avenue and ED GOBLE, 3017 Quiet Breeze Court, spoke in opposition of the project. MS. MYERS found the density absurd in relation to the density of the adjacent properties and voiced traffic concerns. They both considered the proposed design to be the makings of a ghetto. MR. GOBLE stated the City and County have passed plans that eliminate infill and curtail urban sprawl but then the RE properties are taken and converted into land for projects such as this. The duty of the Board is to make appropriate and efficient land use decisions, but approval of these applications would not be doing so. He

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 37 – GPA-6298

MINUTES – Continued:

questioned whether or not the Commission could vote on the companion applications if there was not a super majority to vote on the General Plan Amendment (GPA) application.

BRYAN SCOTT, Deputy City Attorney, clarified for MR. GOBLE that the Planning Commission can vote for approval on the GPA without a super majority, but their vote would go forward to City Council as a recommendation. In addition, the Planning Commission could vote on the companion applications as well.

ORVIE DAHL, 6204 Sierra Pines Court, Las Vegas, NV was informed that single story homes were being developed on the subject parcel. He is aware that core samples have been taken and surveyors have examined the height of homes in the area in determining the height for the proposed homes. Thereafter, he attended a neighborhood meeting but was displeased, as the developer and other representatives could not answer questions nor had viewed the subject site. The developer suggested the residents view a similar development, Centennial Hills. He did so and found that those homes were 25 feet in height. Should the proposed development be built the same, the homes will be looking into the residents' yards. He recommended having single story homes abutting their properties.

ANTHONY ALLOCCA, 6101 Burnt Hills Drive, stated his property abuts the subject development. He expressed opposition to the proposed development and felt it would destroy the integrity of the neighborhood.

WILLENA CAUTHON, 6208 Sierra Pines Court, did not object to single story homes but opposed having 11 units per acre on the subject site, as it would increase traffic exiting onto Jones Boulevard.

MARY PACE, 6104 Wadsworth Court, pointed out that a large number of residents do not oppose residential development. However, they are concerned with the one entrance/exit from the proposed development, the density is too high and a vast majority of the proposed homes would be two-story homes which families would reside in. MS. PACE believed the size of the proposed park would not accommodate the families that would reside in these small homes. The children would play in the streets, which will create a safety hazard.

FRANCISCO MONROIG, 6113 Burnt Hills Drive, expressed opposition to attached homes, as the development would look like apartments. He could support the applications if all the proposed homes abutting existing residential would be single story detached homes.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 37 – GPA-6298

MINUTES – Continued:

JEANNE and TIM HARTMAN, 6221 Burnt Hills Drive, also appeared on behalf of JIM HICKMAN, 6201 Burnt Hills Drive, and spoke in opposition of the proposed development. MS. HARTMAN is a teacher and pointed out that the subject development would have a huge impact with the increased number of students that would attend the nearby elementary school. She asked the Commission to recommend the developer or the Lowe's developer dedicate a portable to assist in accommodating the increased number of students that would attend this school. She also requested having one of the proposed single story homes behind her property. Although ATTORNEY FIELD was not present at the neighborhood meeting, MR. HARTMAN thanked JEFF ROBERTS, Southwest Homes, for meeting with the residents. He added that there is inadequate emergency access. In closing, he hoped that the proposed development would have a homeowners association, and the developers and the proposed Lowe's development would work together to ensure a hospitable transition.

ATTORNEY FIELD informed VICE CHAIRMAN TRUESDELL and reaffirmed for the residents that the entire subdivision is a single family detached product. Single story homes would be developed all along the northern property line and the northwestern corner where residential exists. VICE CHAIRMAN TRUESDELL felt that the proposed development was too intense for the subject area and had insufficient open space. He could not support the applications.

Responding to COMMISSIONER GOYNES' inquiry regarding security and emergency access issues, ATTORNEY FIELD stated that the proposed development is a gated community. There will be a crash gate on the southern portion of the site. COMMISSIONER GOYNES was concerned with the density and the increased traffic volume on Jones Boulevard. ATTORNEY FIELD added that due to the existing development, the irregular shape of the subject parcel and the upcoming Lowe's shopping center development, it would be difficult to have more than one access point on the subject site. COMMISSIONER GOYNES felt that the proposed development should have some accommodations for residents that would live in these homes.

CHAIRMAN NIGRO felt that the site plan was challenged and would not support it. The proposed site plan should be redesigned so that it is compatible with the existing neighborhood.

Responding to ATTORNEY FIELD'S comment regarding the site being limited to only one access point, VICE CHAIRMAN TRUESDELL stated that this is a self imposed circumstance on the owner's part. Lowe's being the current owner of the subject parcel could have created better circulation of the shopping center to allow for more access points on the subject parcel.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 37 – GPA-6298

MINUTES – Continued:

ATTORNEY FIELD thanked the Commission for hearing the items and appreciated the residents' comments and concerns.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 37 [GPA-6298], Item 38 [ZON-6300], Item 39 [WVR-6441], Item 40 [VAR-6305] and Item 41 [SDR-6307].

(7:44 – 8:20)

2-473

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-6300 - REZONING RELATED TO GPA-6298 - PUBLIC HEARING - APPLICANT: SOUTHWEST HOMES - OWNER: LOWE'S HIW, INC. - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL) TO: R-PD11 (RESIDENTIAL PLANNED DEVELOPMENT - 11 UNITS PER ACRE) on 17.31 acres adjacent to the west side of Jones Boulevard, approximately 830 feet north of Craig Road (portion of APN 138-02-601-004), Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Photos of subject site submitted by Orvie Dahl (filed under Item 37)

MOTION:

TRUESELLE – DENIED – UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is presently bidding work with Southwest Homes and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 37 [GPA-6298] for all related discussion on Item 37 [GPA-6298], Item 38 [ZON-6300], Item 39 [WVR-6441], Item 40 [VAR-6305] and Item 41 [SDR-6307].

(7:44 – 8:20)

2-473

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

WVR-6441 WAIVER RELATED TO GPA-6298 AND ZON-6300 - PUBLIC HEARING - APPLICANT: SOUTHWEST HOMES - OWNER: LOWE'S HIW, INC. - Request for Waivers to Title 18.12.105 AND 18.12.130 TO ALLOW PRIVATE DRIVES OF UP TO 234 FEET IN LENGTH WHERE 200 FEET IS THE MAXIMUM LENGTH ALLOWED AND TO ALLOW PRIVATE DRIVES GREATER THAN 150 FEET IN LENGTH TO TERMINATE WITHOUT A TURNAROUND OR AN EMERGENCY ACCESS GATE on 17.31 acres adjacent to the west side of Jones Boulevard, approximately 830 feet north of Craig Road (portion of APN 138-02-601-004), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone [PROPOSED: R-PD11 (Residential Planned Development - 11 units per acre) Zone], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Photos of subject site submitted by Orvie Dahl (filed under Item 37)

MOTION:

TRUEDELL – DENIED – UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is presently bidding work with Southwest Homes and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 37 [GPA-6298] for all related discussion on Item 37 [GPA-6298], Item 38 [ZON-6300], Item 39 [WVR-6441], Item 40 [VAR-6305] and Item 41 [SDR-6307].

(7:44 – 8:20)

2-473

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-6305 - VARIANCE RELATED TO GPA-6298, ZON-6300, AND WVR-6441 - PUBLIC HEARING - APPLICANT: SOUTHWEST HOMES - OWNER: LOWE'S HIW, INC. - Request for a Variance TO ALLOW 1.34 ACRES OF OPEN SPACE WHERE 3.00 ACRES IS THE MINIMUM REQUIRED IN CONJUNCTION WITH A PROPOSED 182 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 17.31 acres adjacent to the west side of Jones Boulevard, approximately 830 feet north of Craig Road (portion of APN 138-02-601-004), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone [PROPOSED: R-PD11 (Residential Planned Development - 11 units per acre) Zone], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Photos of subject site submitted by Orvie Dahl (filed under Item 37)

MOTION:

TRUESEL - DENIED - UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is presently bidding work with Southwest Homes and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 37 [GPA-6298] for all related discussion on Item 37 [GPA-6298], Item 38 [ZON-6300], Item 39 [WVR-6441], Item 40 [VAR-6305] and Item 41 [SDR-6307].

(7:44 – 8:20)

2-473

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6307 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-6298, ZON-6300, WVR-6441 AND VAR-6305 - PUBLIC HEARING - APPLICANT: SOUTHWEST HOMES - OWNER: LOWE'S HIW, INC. - Request for a Site Development Plan Review FOR A PROPOSED 182 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 17.31 acres adjacent to the west side of Jones Boulevard, approximately 830 feet north of Craig Road (portion of APN 138-02-601-004), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone [PROPOSED: R-PD11 (Residential Planned Development - 11 units per acre) Zone], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Photos of subject site submitted by Orvie Dahl (filed under Item 37)

MOTION:

TRUEDELL – DENIED – UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is presently bidding work with Southwest Homes and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 37 [GPA-6298] for all related discussion on Item 37 [GPA-6298], Item 38 [ZON-6300], Item 39 [WVR-6441], Item 40 [VAR-6305] and Item 41 [SDR-6307].

(7:44 – 8:20)

2-473

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-6303 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: TIM C. AYALA - OWNER: LUZMARIE SANCHEZ - Request to amend a portion of the Southeast Sector Plan of the General Plan FROM: L (LOW DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 0.14 acres at 2417 East Wilson Avenue (APN 139-26-811-079), Ward 5 (Weekly).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED – UNANIMOUS with STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 42 [GPA-6303], Item 43 [ZON-6311] and Item 44 [SDR-6313].

GARY LEOBOLD, Planning and Development, gave a brief overview of the applications. He stated that there is an existing family dwelling on the subject site. The applicant would like to demolish the home and replace it with a parking area. The proposed parking area will create additional parking for the adjacent property, while alleviating off-site parking issues. The applicant has requested landscape waivers dealing with landscape buffer widths. Due to the

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 42 – GPA-6303

MINUTES – Continued:

small lot size, staff accepted the landscape waivers and recommended approval of the applications.

TIM AYALA, TC Ayala Planning and Development, 4600 Sunset Road, Ste. 148, Henderson, NV 89014 thanked staff for their assistance on the proposed development. He stated that the landscape waiver request is for the north side of the subject site to allow for the flow of traffic. He then concurred with staff's conditions.

COMMISSIONER McSWAIN questioned when staff would recommend denial on these type of applications relating to homes being converted to parking areas, offices, etc. MR. LEOBOLD emphasized that this application creates a better solution for the neighborhood, as the proposed parking would alleviate some off-site parking issues and service the existing commercial. Staff's intent is not to expand commercial uses down Wilson Avenue and would not support any adjacent homes being converted. Should the applicant decide to do a reversionary map and combine the parcels into one, it would create split land uses and zoning. Should that occur, the Commission would have the opportunity to review the application (Site Plan Review) to determine if it is appropriate.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 42 [GPA-6303], Item 43 [ZON-6311] and Item 44 [SDR-6313].

(8:20 – 8:26)

2-1764

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-6311 - REZONING RELATED TO GPA-6303 - PUBLIC HEARING - APPLICANT: TIM C. AYALA - OWNER: LUZMARIE SANCHEZ - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) on 0.14 acres at 2417 East Wilson Avenue (APN 139-26-811-079), Ward 5 (Weekly).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions – **UNANIMOUS** with **STEINMAN** and **EVANS** excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 42 [GPA-6303] for all related discussion on Item 42 [GPA-6303], Item 43 [ZON-6311] and Item 44 [SDR-6313].

(8:20 – 8:26)

2-1764

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 43 – ZON-6311

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-6303) to a SC (Service Commercial) land use designation approved by the City Council.
2. A reversionary map shall be filed in accordance with Title 18.18, by the applicant to combine parcels APN 139-26-811-079 and APN 139-26-811-192, also known as lots 1, 2 and 3 of Block 5 of the Greater Las Vegas Add Tract 1; prior to the to issuance of any permits, any site grading, and all development activity for the site.
3. A Resolution of Intent with a two-year time limit.
4. A Site Development Plan Review (SDR-6313) application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Coordinate with Land Development to determine what improvements are substandard.
6. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of map subdividing this site, whichever may occur first. Provide and improve all drainage ways as recommended.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6313 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-6303 AND ZON-6311 - PUBLIC HEARING - APPLICANT: TIM C. AYALA - OWNER: LUZMARIE SANCHEZ - Request for a Site Development Plan Review FOR A PROPOSED PARKING AREA AND FOR A WAIVER OF THE PERIMETER AND PARKING LOT LANDSCAPING REQUIREMENTS on 0.14 acres at 2417 East Wilson Avenue (APN 139-26-811-079), R-1 (Single Family Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone] Ward 5 (Weekly).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions and amending the following condition:

6. All development shall be in conformance with the site plan and landscape plan, *date stamped 03/15/05*, except as amended by conditions herein.

– **UNANIMOUS** with **STEINMAN** and **EVANS** excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 42 [GPA-6303] for all related discussion on Item 42 [GPA-6303], Item 43 [ZON-6311] and Item 44 [SDR-6313].

(8:20 – 8:26)

2-1764

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 44 – SDR-6313

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-6303) to a SC (Service Commercial) land use designation and a Rezoning (ZON-6311) to a C-1 (Limited Commercial) zoning district approved by the City Council.
2. Conformance to the Conditions of Approval for Rezoning [ZON-6311].
3. A reversionary map shall be filed in accordance with Title 18.18, by the applicant to combine parcels APN 139-26-811-079 and APN 139-26-811-192, also known as lots 1, 2 and 3 of Block 5 of the Greater Las Vegas Add Tract 1; prior to the to issuance of any permits, any site grading, and all development activity for the site.
4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
5. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
6. All development shall be in conformance with the site plan and landscape plan, except as amended by conditions herein.
7. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems may result in legal action taken by the City of Las Vegas.]
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 44 – SDR-6313

CONDITIONS – Continued:

lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. Landscape and maintain all unimproved right-of-way, if any, on Wilson Avenue adjacent to this site.
15. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the Wilson Avenue public right-of-way adjacent to this site prior to occupancy of this site.
16. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits, unless otherwise allowed by the City Engineer.
17. Site development to comply with all applicable conditions of approval for ZON-6311 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-6312 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Rezoning FROM: U (UNDEVELOPED) [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE) on 20.00 acres adjacent to the east side of Grand Canyon Drive between Deer Springs Way and Wittig Avenue (APN 125-19-501-009, 010, 125-19-601-001, and 007), Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Letter of Opposition, Brigitte M. Solvie (filed under Item 45)

MOTION:

TRUESDELL – APPROVED subject to conditions and adding the following condition:

- This development shall not exceed a total of 72 lots.
- Motion carried with GOYNES voting NO, McSWAIN abstaining as her company, Terra Contracting, is bidding work for Pardee Homes of Nevada and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 45 [ZON-6312], Item 46 [WVR-6322], Item 47 [VAC-6325], Item 48 [VAR-6328] and Item 49 [SDR-6315].

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 45 – ZON-6312

MINUTES – Continued:

GARY LEOBOLD, Planning and Development, gave an overview of the applications. He stated that the request is for a 72-lot single-family residential development. The applicant's initial rezoning request was for R-PD5 and then changed to R-PD3, which is a lot difference of three. Staff's recommendation to the applicant was to apply for R-PD4, and staff would add a condition limiting the development to a certain number of lots. There is also a 60 percent deficiency in the required amount of open space. Should the Commission approve the variance, staff has imposed a condition requiring the applicant to make a contribution, approximately \$126,600, to the City of Las Vegas Parks CIP Fund, in lieu of the open space requirement. In addition, the applicant would be required to redistribute the open space in locations not exclusively devoted to streetscape.

MR. LEOBOLD also pointed out that on Item 49, Condition 3, the correct date stamp should be 04/27/05. Staff also requested to add a condition limiting the development to 72 lots and single story homes would be built on specified lots. MR. LEOBOLD read the added conditions and the amended condition into the record. MR. LEOBOLD added that should Public Works department approve of the proposed cul-de-sacs, then the waiver request (Item 46) would no longer be required.

TABITHA KEETCH, Attorney, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, reiterated some of staff's comments on the applications. At the neighborhood meeting, residents expressed concerns with the GPA, the density, having one-story homes on the 15-acres adjacent to Grand Canyon Drive, and the Haley Avenue alignment. As a consequence of this meeting, the applicant withdrew the GPA application and lost three lots to be consistent with what is allowed under the GPA requirements. Due to some ambiguity in the Code, the applicant had to submit an application for an R-PD4. There are developed parcels west of the subject site, so the developer is restricting the lots south of Haley Avenue along Grand Canyon Drive to one-story homes and with a minimum of 9,000 square feet. Another neighborhood meeting was held to review the changes on the site plan, but the residents were still concerned with the density and could not agree to one story on the 15 acres adjacent to Grand Canyon Drive. The site plan was revised again to restrict more lots to one story, so that there are only eight remaining two-story lots along Grand Canyon Drive. Regarding the density issue, there are developments between Farm Road and Deer Springs Way that are R-PD3 and R-PD5, and a majority of these sites have acreage that is both in the rural and the Low General Plan designation. The proposed development is consistent with the surrounding developments and the density of these developments.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 45 – ZON-6312

MINUTES – Continued:

In researching some of its past one-story community developments, Pardee Homes does not believe that this is would be the best looking design. Having different elevations, articulation and varying heights is substantially important in the way these developments ultimately build out. The developer took into consideration Grand Canyon Drive and has restricted most of these lots to one story. In addition, the subject parcel has a reduced three-foot grade difference from the parcels to the west. With respect to the open space, the developer felt that the buyers of the proposed homes would prefer to landscape their back yards with pools and recreation rather than contributing to homeowner's association fees to maintain a common recreational element that will not be used frequently. The recreational area that has been incorporated into the subject site to the north is approximately 30 feet. There is an opportunity to place benches and other amenities within this area should the Commission stipulate this.

RICHARD LEMMON, 9645 Haley Avenue, opposed the rezoning request to R-PD4 and felt R-PD3 was more appropriate. When the map was developed, there was an agreement between the City and the County that the land east of Grand Canyon Drive would be limited to single story development. All but 25 lots along Grand Canyon Drive of the proposed development back up to Grand Canyon Drive with five-foot side setbacks, which creates a giant wall affect. The area to the west are custom homes on large lots. He would also like to have open space on the western side to create an opening on the large wall.

STEPHAN PURDY, 9615 Haley Avenue, commented on the increased traffic on Grand Canyon Drive resulting from numerous gravel trucks traveling back and forth. He would like to see some of the rural open space maintained and not have as much density in their area.

TREVOR DISHON, 9690 Wittig Avenue, opposed the subject development and preferred a development at R-PD3 or less.

BARBARA MANNING, 6970 N. Jensen Street, opposed the subject development. She understood development will take place but would like to see single story development maintained along Grand Canyon Drive as a buffer and to preserve some of the rural lifestyle.

TERESA FISHER, HDR 38 Box 107, 89166, purchased three parcels within this neighborhood, specifically for the rural lifestyle. She objected to the R-PD4 rezoning request and preferred the zoning at R-PD3. She questioned where the proposed remaining eight two-story homes would be constructed along Grand Canyon Drive and what area will be designated for the construction traffic.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 45 – ZON-6312

MINUTES – Continued:

CAROL SQUIRES, 9685 Elkhorn Road, adamantly opposed to the density of the project and the two-story lots. She felt she has purchased her dream home and has enjoyed the view of the mountains.

BRIGITTE SOLVIE, 7038 N. Conquistador Street, stated that they did not receive notification due to the fact that their mobile home is located immediately outside of the notification radius. Her home is being built within the notification area and was pleased to see that there was a change in the elevation, single story lots and density. She submitted her letter of opposition and stated that the proposed development still needed overall improvement.

DON HILFER, 6685 N. Grand Canyon Drive, was pleased to see the reduced density but would like to see it further reduced with single story lots.

BRIAN PETERSON, 9960 Wittig Avenue, echoed the previous comments and opposed the subject development.

ATTORNEY KEETCH pointed out that the residents appeared not to desire a denial on these applications but to work towards a resolution that would mitigate all concerns. The proposed density is consistent with the existing density surrounding the neighborhood.

MR. LEOBOLD clarified for COMMISSIONER DAVENPORT that the proposed development would meet the density requirement of R, the General plan category, which allows up to 3.59 units per acre. The R-PD3 only allows up to 3.49 units per acre. Staff is examining the possibility of a text amendment. In the meantime, to compensate for the additional tenth, the applicant had to apply with an R-PD4 with a condition stipulating a maximum of 72 lots. MR. LEOBOLD also clarified that the correct site plan was the one shown on the overhead.

MARGO WHEELER, Planning and Development, asked staff what was the total number of units allowed in order for the applicant to have an R-PD3, which is the 3.49 units per acre. MR. LEOBOLD responded that the applicant would lose an additional three lots. ATTORNEY KEETCH added that there are 20.24 gross acres, so the density calculated reflected only a decrease by two lots.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 45 – ZON-6312

MINUTES – Continued:

CHAIRMAN NIGRO appreciated the residents' concern in preserving their rural lifestyle but respectfully disagreed with them. He pointed out that the adjacent parcels reflected lots totaling 34, 37, 19 and 17, so he felt that the densities were fairly consistent. He complimented the developer on being receptive to the surrounding residents by placing single story homes in areas most sensitive to the surrounding neighbors.

VICE CHAIRMAN TRUESDELL stated that having single story and two-story homes, it creates different light sheds. He felt that the developer has made a huge effort in creating a development that blends in with the development north of the subject site. The aforementioned concerns and issues will always be raised when dealing with residential development within rural areas; however, he had hoped that all would keep in mind what has been done site by site in trying to create uniform neighborhoods.

MS. WHEELER confirmed that a condition would be added limiting the development to 72 lots. GINA VENGLASS, Public Works, also confirmed that having the cul-de-sacs on the site was acceptable. ATTORNEY KEETCH then requested to withdraw without prejudice Item 46 and staff concurred.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 45 [ZON-6312], Item 46 [WVR-6322], Item 47 [VAC-6325], Item 48 [VAR-6328] and Item 49 [SDR-6315].

(8:46 – 9:24)

2-2042

CONDITIONS:

Planning and Development

1. Approval of a Variance (VAR-6276), a Waiver (WVR-6277), and a Site Development Plan Review (SDR-6275) by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.
2. A Resolution of Intent with a two-year time limit.

Public Works

3. Dedicate 40 feet of right-of-way adjacent to this site for Grand Canyon Drive and the necessary right-of-way for a cul-de-sac meeting current City Standards for the termination of Haley Avenue. Also dedicate a 25 foot radius on the northeast corner of Deer Springs Way and Grand Canyon Drive. Grant a traffic signal chord easement at the northeast corner of Grand Canyon Drive and Deer Springs Way.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 45 – ZON-6312

CONDITIONS – Continued:

4. Construct half-street improvements, including appropriate transition paving and overpaving if legally able, on Grand Canyon Drive and Deer Springs Way adjacent to this site concurrent with development of this site. In addition, construct necessary improvements for the complete cul-de-sac termination of Haley Avenue. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. Extend public sewer to the west edge of this site to a location and depth acceptable to the Collection Systems Planning Section of the Department of Public Works. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

WVR-6322 - WAIVER RELATED TO ZON-6312 - PUBLIC HEARING - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Waiver to Title 18.12.160 TO ALLOW APPROXIMATELY 190 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED on 20.00 acres adjacent to the east side of Grand Canyon Drive between Deer Springs Way and Wittig Avenue (APN 125-19-501-009, 010, 125-19-601-001, and 007), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD4 (Residential Planned Development - 4 units per acre) Zone], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Letter of Opposition, Brigitte M. Solvie (filed under Item 45)

MOTION:

TRUEDELL – WITHDRAWN WITHOUT PREJUDICE – Motion carried with GOYNES voting NO, McSWAIN abstaining as her company, Terra Contracting, is bidding work for Pardee Homes of Nevada and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 45 [ZON-6312] for related discussion on Item 45 [ZON-6312], Item 46 [WVR-6322], Item 47 [VAC-6325], Item 48 [VAR-6328] and Item 49 [SDR-6315].

(8:46 – 9:24)

2-2042

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAC-6325 - VACATION RELATED TO ZON-6312 AND WVR-6322 - PUBLIC HEARING - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Petition to Vacate U.S. Government Patent Easements generally located east of Grand Canyon Drive between Dorrell Lane and Wittig Avenue and between Haley Avenue and Dorrell Lane and a 50 foot wide public utility easement located on Deer Springs Way and Grand Canyon Drive, Ward 6 (Mack).

SET DATE: 05/18/05

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Letter of Opposition, Brigitte M. Solvie (filed under Item 45)

MOTION:

TRUEDELL – APPROVED subject to conditions – Motion carried with GOYNES voting NO, McSWAIN abstaining as her company, Terra Contracting, is bidding work for Pardee Homes of Nevada and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 45 [ZON-6312] for related discussion on Item 45 [ZON-6312], Item 46 [WVR-6322], Item 47 [VAC-6325], Item 48 [VAR-6328] and Item 49 [SDR-6315].

(8:46 – 9:24)

2-2042

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 47 – VAC-6325

CONDITIONS:

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest and Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required with Rezoning application ZON-6312 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest and an Order of Vacation.
3. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
4. All development shall be in conformance with code requirements and design standards of all City departments.
5. The Order of Relinquishment of Interest and Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. If the Order of Relinquishment of Interest and Order of Vacation are not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-6328 - VARIANCE RELATED TO ZON-6312, WVR-6322 AND VAC-6325 - PUBLIC HEARING - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Variance TO ALLOW 0.41 ACRES OF OPEN SPACE WHERE 1.19 ACRES IS THE MINIMUM REQUIRED IN CONJUNCTION WITH A PROPOSED 72 LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 20.00 acres adjacent to the east side of Grand Canyon Drive between Deer Springs Way and Wittig Avenue (APN 125-19-501-009, 010, 125-19-601-001 and 007), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD4 (Residential Planned Development - 4 units per acre) Zone], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Letter of Opposition, Brigitte M. Solvie (filed under Item 45)

MOTION:

TRUEDELL – APPROVED subject to conditions – Motion carried with **GOYNES** voting **NO**, **McSWAIN** abstaining as her company, **Terra Contracting**, is bidding work for **Pardee Homes of Nevada** and **STEINMAN** and **EVANS** excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 45 [ZON-6312] for related discussion on Item 45 [ZON-6312], Item 46 [WVR-6322], Item 47 [VAC-6325], Item 48 [VAR-6328] and Item 49 [SDR-6315].

(8:46 – 9:24)

2-2042

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 48 – VAR-6328

CONDITIONS:

Planning and Development

1. Approval of a Rezoning (ZON-6312) and a Site Development Plan Review (SDR-6315) by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the city of Las Vegas Parks CIP Fund in the amount of 31,666 square feet (amount waived) x \$4.00 or \$126,664 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map; otherwise, the developer will still be required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.
4. The 0.41 acres of open space shall be provided in locations not exclusively devoted to streetscape. Such locations shall be approved by staff of the Planning and Development Department prior to the submittal of a Tentative Map.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6315 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-6312, WVR-6322, VAC-6325 AND VAR-6328 - PUBLIC HEARING - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Site Development Plan Review FOR A 72 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 20.00 acres adjacent to the east side of Grand Canyon Drive between Deer Springs Way and Wittig Avenue (APN 125-19-601-001, 007, 125-19-501-009 and 010), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD4 (Residential Planned Development - 4 units per acre) Zone], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	3
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Letter of Opposition, Brigitte M. Solvie (filed under Item 45)

MOTION:

TRUESDELL – APPROVED subject to conditions, amending the following condition:

3. All development shall be in conformance with the site plan and building elevations date stamped 4/27/05, except as amended by conditions herein.

and adding the following condition:

- *The following lots as identified on the 4/27/05 site plan shall be developed with single story homes only: 1-7, 47, 48, 50, 52, 54, 55, 65, 67, 69 and 71.*

– Motion carried with GOYNES voting NO, McSWAIN abstaining as her company, Terra Contracting, is bidding work for Pardee Homes of Nevada and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 49 – SDR-6315

MINUTES:

See Item 45 [ZON-6312] for related discussion on Item 45 [ZON-6312], Item 46 [WVR-6322], Item 47 [VAC-6325], Item 48 [VAR-6328] and Item 49 [SDR-6315].

(8:46 – 9:24)

2-2042

CONDITIONS:

Planning and Development

1. Approval of applications for a Variance (VAR-6276), Rezoning (ZON-6274), and a Waiver (WVR-6277) by the City Council prior to issuance of any permits, any site grading, and any development activity on the site.
2. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations date stamped 04/08/05, except as amended by conditions herein.
4. The standards for this development shall be established as follows:

Standard	Requirement
Min. Lot Size	6,300 sq. ft.
Min. Lot Width	60 feet
Min. Setbacks	
Front (to side garage)	10 feet
Front (to garage)	18 feet
Side	5 feet
Corner	15 feet
Rear	15 feet
Rear (to balconies)	10 feet
Max. Lot Coverage	50 %
Max. Building Height	Two stories

5. The front yard setback shall be measured from the back of sidewalk or street curb where a sidewalk does not exist.
6. The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a Tentative Map to reflect the standards noted in #4 above, other conditions listed, and the extension of Haley Avenue to Grand Canyon Drive.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 49 – SDR-6315

CONDITIONS – Continued:

7. The landscape plan shall be revised and approved by staff of the Planning and Development Department, prior to the time application is made for a Tentative Map, to illustrate a minimum of 36 five-gallon shrubs, four for each tree, within the planters along Grand Canyon Drive and Deer Springs Ways.
8. No turf shall be placed in the non-recreational common areas, such as medians and amenity zones in this development.
9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. All property line walls shall be decorative block walls, with at least 20 percent contrasting materials, and they shall not exceed a height of eight feet, including the height needed for retaining. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade. Where a greater wall height is needed, it shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of eight feet.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures.
13. All City code requirements and design standards of all City departments shall be satisfied.
14. No turf shall be placed in the non-recreational common areas, such as medians and amenity zones in this development.

Public Works

15. No portion of this subdivision abutting or overlying the Las Vegas Valley Water District right-of-way easement on the north side of Deer Springs Way shall record until a Petition of Vacation, such as VAC-6325 has recorded.
16. A homeowners association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 49 – SDR-6315

CONDITIONS – Continued:

17. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
18. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-6312 and all other applicable site-related actions.
19. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GPA-6318 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: CITY OF LAS VEGAS - Request to amend a portion of the Centennial Hills Sector Plan of the General Plan FROM: PR-OS (PARK/RECREATION/OPEN SPACE) TO: SC (SERVICE COMMERCIAL) on 4.22 acres adjacent to the north side of Cheyenne Avenue, approximately 665 feet east of El Capitan Way (APN 138-08-801-006 and 007), Ward 4 (Brown).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – APPROVED – UNANIMOUS with STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 50 [GPA-6318], Item 51 [ZON-6324] and Item 52 [SDR-6331].

FLINN FAGG, Planning & Development, gave a brief overview of the applications. Staff found the rezoning and General Plan Amendment to be in conformance with surrounding properties and recommended approval. Regarding the site plan, staff conditioned some minor improvements to the landscaping. He noted that the parking met City requirements. Based on the proposed uses, a cap has been placed on the usage for medical offices, and restaurant uses are prohibited because such use would take the project out of compliance for parking.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 50 – GPA-6318

MINUTES – Continued:

TABITHA KEETCH, Attorney, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. She concurred with all conditions but asked for clarification on Condition 4 of Item 52 [SDR-6331]. ATTORNEY KEETCH had concerns that the way the condition was written would imply the development would be required to contain some element of medical office. She also asked if Condition 5 would apply to a usage such as a Subway shop or a small restaurant. The applicant would like to retain the right to consider such uses if possible. MR. FAGG indicated that the language could be changed on Condition 4 so that the words “shall be limited” would read “shall contain”. Regarding Condition 5, based on the medical component, any type of restaurant usage would result in the development being out of compliance with the parking requirement. He suggested that the condition could be deleted with the understanding that the development must comply with the parking requirements in Title 19.10 and that would automatically restrict considering any type of a restaurant use. ATTORNEY KEETCH indicated that would be acceptable. In the event the applicant does not have any medical uses, they would then be able to consider that type of use. VICE CHAIRMAN TRUESDELL confirmed with MARGO WHEELER, Planning & Development Department, that deleting Condition 5 would require the applicant to come back before the Board to get a Variance if they wanted a restaurant use. If the condition were left as is, the applicant would have to apply for a Variance and a Review of Condition.

COMMISSIONER McSWAIN stated it will be nice to have this area developed and this looked like a very nice plan.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 50 [GPA-6318], Item 51 [ZON-6324] and Item 52 [SDR-6331].

(9:24 – 9:31)

3-230

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-6324 - REZONING RELATED TO GPA-6318 - PUBLIC HEARING - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: C-V (CIVIC) TO: C-1 (LIMITED COMMERCIAL) on 4.22 acres adjacent to the north side of Cheyenne Avenue, approximately 665 feet east of El Capitan Way (APN 138-08-801-006 and 007), Ward 4 (Brown).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 50 [GPA-6318] for related discussion on Item 50 [GPA-6318], Item 51 [ZON-6324] and Item 52 [SDR-6331].

(9:24 – 9:31)

3-230

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-6318) to a SC (Service Commercial) land use designation approved by the City Council.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 51 – ZON-6324

CONDITIONS – Continued:

2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review application (SDR-6331) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such a map is required, it should record prior to the issuance of any permits for this site.
5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Coordinate with Land Development to determine what improvements are substandard.
6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, the submittal of any construction drawings, or the submittal of a Map subdividing this site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 51 – ZON-6324

CONDITIONS – Continued:

concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6331 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-6318 AND ZON-6324 - PUBLIC HEARING - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: CITY OF LAS VEGAS - Request for Site Development Plan Review FOR A PROPOSED COMMERCIAL DEVELOPMENT CONSISTING OF A 40,000 SQUARE FOOT, TWO-STORY OFFICE BUILDING AND TWO SINGLE-STORY 5,000 SQUARE FOOT RETAIL BUILDINGS on 4.22 acres adjacent to the north side of Cheyenne Avenue, approximately 665 feet east of El Capitan Way (APN 138-08-801-006 and 007), C-V (Civic) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 4 (Brown).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – APPROVED subject to conditions, deleting Condition 5 and amending the following condition:

4. The development shall *be limited to a maximum of 15,000 square feet of medical office uses.*

– **UNANIMOUS** with **STEINMAN** and **EVANS** excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 50 [GPA-6318] for related discussion on Item 50 [GPA-6318], Item 51 [ZON-6324] and Item 52 [SDR-6331].

(9:24 – 9:31)

3-230

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 52 – SDR-6331

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-6318) and Rezoning (ZON-6324) to a C-1 (Limited Commercial) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations date stamped 04/12/05, except as amended by conditions herein.
4. The development shall contain a maximum of 15,000 square feet of medical office uses.
5. The development shall not contain a restaurant use.
6. Prior to the time application is made for a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. No walls or structures shall be permitted within the existing drainage easement along the east property line.
8. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect 24-inch box deciduous shade or evergreen trees planted 20 feet on center within the buffer along Cheyenne Avenue and 30 feet on center along the north property line. Evergreen trees shall be planted 20 feet on center within the buffer along the west property line, and 30 feet on center along the east property line. A minimum of four (4) five-gallon shrubs for each 24-inch box tree shall be planted within provided planters along the perimeters. The plan shall also show a minimum of five (5) five-gallon and five (5) one-gallon shrubs for each 24-inch box tree provided within parking lot planter fingers. Perimeter walls or fences, if required, shall be constructed at the back of the landscape planter.
9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 52 – SDR-6331

CONDITIONS – Continued:

10. A stamped landscaping plan must be submitted prior to or at the same time application is made for a building permit.
11. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development. Turfed areas shall not exceed a maximum of 12.5% of the total landscapable area.
12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
13. Any new property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

16. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
17. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a and shall provide for a 25-foot ingress and egress radius.
18. Site development to comply with all applicable conditions of approval for ZON-6324 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-6321 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: CITY OF LAS VEGAS, ET AL - Request to amend a portion of the Centennial Hills Sector Plan of the General Plan FROM: PR-OS (PARK/RECREATION/OPEN SPACE) AND O (OFFICE) TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 3.26 acres at 4705, 4723 and 4743 Balsam Street and on property adjacent to the southeast corner of Lone Mountain Road and Balsam Street (APNs 138-03-510-003, 023, 024 and 025), Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	2
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – List of Additional Suggested Conditions, submitted by Attorney Chris Kaempfer; Excerpt from Declaration of Restrictions, Ordinance 61, submitted by Mary Klosowski

MOTION:

DAVENPORT – Motion for Approval failed due to lack of super majority, which is tantamount to **DENIAL** with **McSWAIN** abstaining because her company, Terra Contracting, is presently under contract with Royal Construction and **STEINMAN** and **EVANS** excused

To be heard by City Council 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 53 [GPA-6321], Item 54 [ZON-6327] and Item 55 [SDR-6332].

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 53 – GPA-6321

MINUTES – Continued:

FLINN FAGG, Planning & Development, gave a brief overview of the applications, which would allow the applicant to incorporate the subject parcels into a recently approved R-PD10 development to the west. This action would increase the number of units on the associated parcels from 78 to a total of 124, which still remains within the limit of R-PD10 in terms of density. Staff is requesting minor modifications to the landscape plan. There is a trail requirement on Lone Mountain Road. Also, three of the subject parcels are currently being annexed but are scheduled for approval prior to final action.

CHAIRMAN NIGRO informed the applicant's representatives that because COMMISSIONER McSWAIN abstained, there would be no way for the Board to reach the necessary supermajority for the item to be approved. Lack of supermajority is tantamount to a denial. This would not affect the companion items.

CHRIS KAEMPFER, Attorney, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared with Russell Skuse on behalf of the applicant. ATTORNEY KAEMPFER stressed that discussion should be limited only to the items on the agenda, not the previously approved items that MR. FAGG referenced. ATTORNEY KAEMPFER also informed the Commission about the negotiated additional conditions relating to those items.

After orienting the Board to the site, ATTORNEY KAEMPFER pointed out that all of the properties, including the adjacent RE homes, are general planned for Office, not residential. Clark County had the master plan for the area modified when it was annexed over to the City. He indicated that neighborhood meetings have continued to date. The applicant did agree to some additional conditions and copies were distributed to the Board members. He stressed that these conditions were not part of an agreement because despite the number of meetings, an agreement was not reached between the applicant and residents. The additional conditions include: Installation of an eight-foot high, earth-toned, stucco wall, such as those seen in Summerlin, located around the cul-de-sac and along Balsam Street. A six-foot wide landscape buffer around the cul-de-sac and along Balsam Street and the applicant will work with the neighbors as to the type and nature of the landscaping within the buffer. The remaining perimeter adjacent to the RE lots would have an eight-foot high decorative block wall. Subject to adjacent neighbor approval, the applicant will file for vacation of Balsam Street from the cul-de-sac bulb to Red Coach Avenue. Subject to adjacent neighbor approval, the applicant will file for vacation of Red Coach Avenue from Balsam Street to the cul-de-sac bulb. If Balsam Street is approved for vacation, the street width would be reduced to 37-feet and would become a private drive with curb, gutter and paving along Balsam Street to Red Coach Avenue to address flood concerns. Rural standards would be applied, where permitted, to the exterior of the site. The interior lighting would be low-level box lighting to minimize any lighting intrusion into the

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 53 – GPA-6321

MINUTES – Continued:

adjacent RE neighborhoods. The crash gates at Balsam Street and Red Coach Avenue that were a condition of approval for the previous applications may never be used for access except by emergency vehicles. The crash gate on Red Coach Avenue will be eliminated if it is not required by the Fire Department. Finally, once construction commences, the applicant will meet with the neighbors to discuss construction hours and there will be no construction traffic on Balsam Street.

CHAIRMAN NIGRO conferred with MARGO WHEELER, Director, Planning and Development, to identify which of the suggested conditions could actually be enforced by the City. MS. WHEELER explained that many of the items would be a private agreement between the applicant and neighbors. The condition regarding the eight-foot wall is addressed with Condition 13 of Item 55 [SDR-6332] and the design reference to a “Summerlin” style could be incorporated into that condition. She suggested verbiage regarding the crash gates not being used for vehicle traffic and that the Red Coach Avenue crash gate being removed if not required by the Fire Department. MS. WHEELER suggested confirming the rural standard condition with Public Works. GINA VENGLASS, Public Works, questioned the request to vacate Balsam Street because the majority of the street is located within the County. Regarding the rural standards, staff always suggests the installation of urban improvements so that would be her recommendation. MS. VENGLASS reminded everyone that the County would have some say over the improvements to Balsam Street.

ATTORNEY KAEMPFER confirmed with MS. VENGLASS that using the low level lighting within the development would not be a concern. He acknowledged that the City could not enforce many of the conditions he read; however, he wanted them on the record for the benefit of the neighbors. The conditions allow for separation of the proposed development from the existing RE properties by secluding them from the I-95 freeway, Lone Mountain Road and the proposed project.

MARY KLOSOWSKI, 4615 Balsam Street, stated she lived in her home for 39 years. She referenced a document titled Declarations of Restrictions, Bridle Path Estates. The document was recorded August 30, 1962. The declaration serves as a contract between each individual property owner and all property owners collectively for the mutual protection and benefit of all. Signatures on the deeds subject the owner to the terms of the declaration. The City of Las Vegas does not have authority to intervene in matters pertaining to the declaration. Approval of these items would alter and destroy that contract without due process of law. The proposed development falls within the Bridle Path Estates and therefore is subject to the Declaration of Restrictions.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 53 – GPA-6321

MINUTES – Continued:

PAT TREICHEL, 6991 Red Coach Avenue, stated he was confused after reading the declaration because it seemed clear that the action was not allowed. MR. TREICHEL said the applicant has made some appreciated concessions. His main concern was that the crash gates would be used for vehicular traffic. He asked if there was some way to guarantee against it. An unidentified male speaker spoke in opposition of the project and complained that ATTORNEY KAEMPFER should have recognized the importance of the declaration. BARNARD COMO, 4650 Balsam Street, explained that although he is still opposed to the project, he thought some of the concessions were admirable. He liked this new design much more than the previous version.

ROBERT EAGLE, 4686 Balsam Street, questioned flood control measures, because his home sits lowest in the area. The proposed site has soaked up water in the past and now that water will be displaced by the homes. He also questioned why the CC&R's for the neighborhood were not checked prior to the application process.

DARRELL LINCOLN CLARK, Attorney, 438 East Sahara Avenue, appeared representing 14 of the residential estate owners in the Bridle Path Estates. His clients own lots along Balsam Street down to Red Coach Avenue. The requested zone change would divide three existing lots into 40 lots. The CC&Rs that have been referenced do not allow for more than one lot per ½ acre parcel. He suggested that the issue may have to be addressed elsewhere.

ATTORNEY KAEMPFER replied that he was not involved when the original applications were first heard before the Planning Commission. Since that time, the Planning Commission was not involved with the conditions agreed to by Council. Regarding the crash gates, the applicant would be amenable to having a restriction imposed, as a condition of approval, stating the crash gates would exist. The drainage study would address MR. EAGLE'S flooding concerns. ATTORNEY KAEMPFER indicated he was aware of the CC&Rs but because they are 40 years old and have never been enforced, they are not applicable to the property. The residents themselves were unaware of the CC&Rs being in place. Additionally, that is considered a private agreement and the City never considers private contracts when reviewing zoning issues. He said the neighbors have the right to litigate to see if the declaration is valid but that is not a factor the City should take into consideration when reviewing the applications.

CHAIRMAN NIGRO confirmed with DEPUTY CITY ATTORNEY BRYAN SCOTT that the City is consistent in saying the City does not get involved with private covenants and restrictions. City Code does provide in Title 19.00.050J that by virtue of this Title the City has no power or authority to enforce private deeds, covenants, conditions or restrictions. Residents have been informed in the past that if conditions exist and need to be enforced they are welcome to litigate the issues against the property owner if they believe them to be valid.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 53 – GPA-6321

MINUTES – Continued:

VICE CHAIRMAN TRUESDELL agreed that the City does not get involved in any private deed issues. Being in the real estate business, he deals with deed restrictions often. All residential deed restrictions that he has seen in the valley typically have a 20 to 50 year sunset. He did not vote on the adjacent application because the notice area affected property that one of his partners had an interest in. The current application cures most of the problems he had with the first set of applications. The applicant can agree to a condition of approval indicating the crash gates can only be used for emergency access. The improvements to Balsam Street help to lessen the impact of the proposed development on the neighbors. He asked whether there would be a problem with the hotel traffic cutting into the proposed development. MR. SKUSE stated it was a gated community.

COMMISSIONER DAVENPORT agreed with VICE CHAIRMAN TRUESDELL. He voted against the item originally but now believes these applications resolve a few of his concerns. A new concern resulted after hearing about the vacation of Balsam Street. He questioned who would pay for maintenance since it was going to be a private street. ATTORNEY KAEMPFER stated that discussions never progressed past installation of the improvements. His applicant would agree to maintain the private street and would accept a condition stating so. VICE CHAIRMAN TRUESDELL confirmed with ATTORNEY KAEMPFER that the applicant would maintain the landscape strip on Balsam Street as well.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 53 [GPA-6321], Item 54 [ZON-6327] and Item 55 [SDR-6332].

(9:31 – 10:14)

3-459

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-6327 - REZONING RELATED TO GPA-6321 - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: CITY OF LAS VEGAS, ET AL - Request for a Rezoning FROM: U (UNDEVELOPED) [PR-OS (PARK/RECREATION/OPEN SPACE) GENERAL PLAN DESIGNATION] AND R-E (RESIDENCE ESTATES) TO: R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE) on 3.26 acres at 4705, 4723 and 4743 Balsam Street and on property adjacent to the southeast corner of Lone Mountain Road and Balsam Street (APNs 138-03-510-003, 023, 024 and 025), Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	2
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – List of Additional Suggested Conditions, submitted by Attorney Chris Kaempfer; Excerpt from Declaration of Restrictions, Ordinance 61, submitted by Mary Klosowski

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is presently under contract with Royal Construction and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 53 [GPA-6321] for related discussion on Item 53 [GPA-6321], Item 54 [ZON-6327] and Item 55 [SDR-6332].

(9:31 – 10:14)
3-459

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 54 – ZON-6327

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-6321) to an MLA (Medium-Low Attached Density Residential) land use designation approved by the City Council.
2. A Site Development Plan Review (SDR-6332) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. Provide a multi-use trail to be constructed along the south right-of-way line of Lone Mountain Road, to meet the requirements of the Master Plan Transportation Trails Element, particularly with the specifications shown in Exhibit 1. Accordingly, a lighted trail with landscaping shall be provided along its entire length. Detailed construction drawings of the trail shall be submitted to and approved by the Planning and Development Department prior to the submittal of any development permits for this site. Additionally, the trail is to be integrated into the Lone Mountain Road overpass to create a seamless flow of the trail path.
4. A Resolution of Intent with a two-year time limit.

Public Works

5. Dedicate appropriate right-of-way for a complete cul-de-sac at the terminus of Balsam Street.
6. A Petition of Vacation for those portions of Balsam Street in conflict with the proposed site plan shall be recorded prior to the recordation of a Final Map abutting or overlying those portions of Balsam Street.
7. Construct half-street improvements including appropriate overpaving on Lone Mountain Road and Balsam Street (including the complete cul-de-sac termination) adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
8. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 54 – ZON-6327

CONDITIONS – Continued:

Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

9. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
10. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6332 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-6321 AND ZON-6327 - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: SF INVESTMENTS, LLC, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 124 LOT SINGLE-FAMILY ATTACHED RESIDENTIAL DEVELOPMENT on 12.00 acres adjacent to the southeast corner of U.S. 95 and Lone Mountain Road (APN 138-03-510-001, 002, 003, 023, 024, 025 and 031), R-E (Residence Estates) Zone, U (Undeveloped) Zone [PR-OS (Park/Recreation/Open Space) General Plan Designation], R-E (Residence Estates) and U (Undeveloped) Zones [O (Office) General Plan Designation] under Resolution of Intent to R-PD10 (Residential Planned Development - 10 units per acre) Zone [PROPOSED: R-PD10 (Residential Planned Development - 10 units per acre) Zone], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – List of Additional Suggested Conditions, submitted by Attorney Chris Kaempfer; Excerpt from Declaration of Restrictions, Ordinance 61, submitted by Mary Klosowski

MOTION:

DAVENPORT – APPROVED subject to conditions and amending the following conditions:

- *The crash gate at Red Coach Avenue is to be eliminated subject to an approval of the Fire Department.*
 - *The crash gates at Balsam Street and Red Coach Avenue may not be converted to through access.*
- UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is presently under contract with Royal Construction and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 55 – SDR-6332

MINUTES:

See Item 53 [GPA-6321] for related discussion on Item 53 [GPA-6321], Item 54 [ZON-6327] and Item 55 [SDR-6332].

(9:31 – 10:14)

3-459

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-6321) and Rezoning (ZON-6327) approved by the City Council.
2. Provide a multi-use trail to be constructed along the south right-of-way line of Lone Mountain Road, to meet the requirements of the Master Plan Transportation Trails Element, particularly with the specifications shown in Exhibit 1. Accordingly, a lighted trail with landscaping shall be provided along its entire length. Detailed construction drawings of the trail shall be submitted to and approved by the Planning and Development Department prior to the submittal of any development permits for this site. Additionally, the trail is to be integrated into the Lone Mountain Road overpass to create a seamless flow of the trail path.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. The setbacks for this development shall be a minimum of 5 feet to the front of the house [with 1.5-foot allowable encroachment both architectural/livable (faces open space)], 3.5 feet on the side, 3.5 feet on the corner side, and 6 feet in the rear [with 2.5-foot allowable encroachment both architectural/livable (garage/private drive)].
5. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, depicting the integration of the multi-use trail and its integration into the overpass along the south right-of-way line of Lone Mountain Road; and depict eight-foot perimeter block walls instead of six feet.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 55 – SDR-6332

CONDITIONS – Continued:

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
11. Any property line wall shall be an eight feet tall decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Submit a Petition of Vacation for the 20-foot alley in both the City and Clark County jurisdictions for all rights-of-way in conflict with the proposed site plan. Orders of Vacation for both the City and County properties shall record concurrently and must be recorded prior to recordation of a Final Map for this site, and the Final Map must show the Recorder's numbers of the Vacations.
16. Gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
17. The 24-foot drive isles shall be labeled as private drives on the Tentative Map and shall be defined as public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowner's Association.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 55 – SDR-6332

CONDITIONS – Continued:

18. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
19. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
20. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5827, ZON-6327 and all other applicable site-related actions.
21. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that this site plan has been designed without knuckles.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-6333 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: LAND DEVELOPMENT & INVESTMENT DIVERSIFICATION - OWNER: MAPLE DEVELOPMENT, LLC, ET AL - Request to amend a portion of the Centennial Hills Sector Plan of the General Plan FROM:RNP (RURAL NEIGHBORHOOD PRESERVATION), DR (DESERT RURAL DENSITY RESIDENTIAL) AND R (RURAL DENSITY RESIDENTIAL) TO: L (LOW DENSITY RESIDENTIAL) on 15 acres adjacent to the northeast corner of Grand Canyon Drive and Alexander Road (APNs 138-06-802-001 through 004 & 138-06-801-002), Ward 4 (Brown).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE** to the **May 12, 2005** Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter

MOTION:

McSWAIN – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; TABLE Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; WITHDRAW WITHOUT PREJUDICE Item 18 [GPA-6270] – UNANIMOUS with EVANS and STEINMAN excused

MINUTES

There was no discussion.

(6:04 – 6:20)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-6334 - REZONING RELATED TO GPA-6333 - PUBLIC HEARING - APPLICANT: LAND DEVELOPMENT & INVESTMENT DIVERSIFICATION - OWNER: MAPLE DEVELOPMENT, LLC, ET AL - Request for a Rezoning FROM: U (UNDEVELOPED) [RNP (RURAL NEIGHBORHOOD PRESERVATION) GENERAL PLAN DESIGNATION], U (UNDEVELOPED) [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] AND U (UNDEVELOPED) [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) on 15 acres adjacent to the northeast corner of Grand Canyon Drive and Alexander Road (APNs 138-06-802-001 through 004 & 138-06-801-002), Ward 4 (Brown).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE to the May 12, 2005** Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter

MOTION:

McSWAIN – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; TABLE Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; WITHDRAW WITHOUT PREJUDICE Item 18 [GPA-6270] – UNANIMOUS with EVANS and STEINMAN excused

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 57 – ZON-6334

MINUTES:

There was no discussion.

(6:04 – 6:20)

1-84

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - VAC-6163 - VACATION RELATED TO GPA6333 AND ZON-6334 - PUBLIC HEARING - APPLICANT: LAND DEVELOPMENT AND INVESTMENT DIVISION - OWNER: MAPLE DEVELOPMENT LLC - Petition to Vacate a portion of Florine Avenue and Park Street and U.S. Government Patent Easements generally located on north side of Alexander Road and east of Grand Canyon Drive, Ward 4 (Brown)

SET DATE: 05/18/05

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE** to the **May 12, 2005** Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter

MOTION:

McSWAIN – Motion to bring forward and **HOLD IN ABEYANCE** Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; **TABLE** Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; **WITHDRAW WITHOUT PREJUDICE** Item 18 [GPA-6270] – **UNANIMOUS** with **EVANS** and **STEINMAN** excused

MINUTES

There was no discussion.

(6:04 – 6:20)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6336 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-6333, AND ZON-6334 - PUBLIC HEARING - APPLICANT: LAND DEVELOPMENT & INVESTMENT DIVERSIFICATION - OWNER: MAPLE DEVELOPMENT, ET AL - Request for Site Development Plan Review FOR A PROPOSED 52 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 15 acres adjacent to the northeast corner of Grand Canyon Drive and Alexander Road (APNs 138-06-802-001 through 004), U (Undeveloped) Zone [RNP (Rural Neighborhood Preservation) General Plan Designation], U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] and U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] [PROPOSED: R-PD3 (Residential Planned Development - 3 units per acre) Zone], Ward 4 (Brown).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE to the May 12, 2005** Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter

MOTION:

McSWAIN – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; TABLE Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; WITHDRAW WITHOUT PREJUDICE Item 18 [GPA-6270] – UNANIMOUS with EVANS and STEINMAN excused

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 59 – SDR-6336

MINUTES

There was no discussion.

(6:04 – 6:20)

1-84

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

MOD-6295 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: PHD ASSETS, L.L.C. - Request for a Major Modification of the Town Center Land Use Plan of the Centennial Hills Sector Plan of the General Plan TO CHANGE THE LAND USE DESIGNATION FROM: ML-TC (MEDIUM-LOW DENSITY RESIDENTIAL - TOWN CENTER) TO: MLA-TC (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL - TOWN CENTER) on 5.07 acres adjacent to the northwest corner of Dorrell Lane and Campbell Road (APN 125-20-101-012), Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESDELL – APPROVED subject to condition – UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is under contract with Pardee Homes and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 60 [MOD-6295], Item 61 [ZON-6297], Item 62 [WVR-6310], Item 63 [SUP-6306] and Item 64 [SDR-6301].

GARY LEOBOLD, Planning & Development, gave a brief overview of the applications, which would allow the development of a 52 unit attached residential product. The Major Modification

request is an appropriate shift since the property is bordered to the north and west by land already

PLANNING COMMISISON MEETING OF APRIL 28, 2005
Planning and Development Department
Item 60 – MOD-6295

MINUTES – Continued:

designated the same way in the Town Center plan. The impact of the land use change would be negligible. The applicant held a neighbor hood meeting with four people in attendance. Concerns raised included possible access to Campbell Road and whether the development would be gated. Staff supports the rezoning request because it allows the property to be developed in accordance with the Town Center Development Standards manual. The requested waiver is justified by the small size of the site. The hardship generated by the size is real and staff supports the waiver.

Staff recommended denial on the Special Use Permit because the provision of private streets in Town Center is highly discouraged. Denial was also recommended on the Site Development Plan Review because of the private street component. Staff suggested the site be reconfigured to use the public street. The accompanying waiver is a request that two active gated entrances not be required. Because this site has such a small number of lots, staff is able to support the waiver to allow only one entrance gate. MR. LEOBOLD also noted that the guest parking is not evenly distributed throughout the site. Staff would ask that an if approved condition be added which require that at least nine of the parking spaces along the private street be clearly striped and marked as guest spaces.

RUSSELL SKUSE, 7575 Hickham Avenue, appeared on behalf of the applicant and concurred with staff conditions. He agreed with the reasoning behind the denial recommendations based on Town Center Standards. This same applicant owns the other three corners at this intersection. They were unable to purchase the subject site until recently. Unfortunately, the subject site is now a five-acre lot similar to an infill piece of land.

TODD MAJERONI, 9101 Dorell Lane, lives in a Spinaker home across from the proposed entrance to the subject site. He asked that the entrance be put onto Campbell Road. Both streets have the same Town Center standards and are the same street classification. The traffic on Dorell is already congested and when the town home project being constructed by DR Horton is completed, it will be worse. He acknowledged that doing so might cause the developer to lose one or two lots. MR. MAJERONI stated that adding additional residences without sufficient green space would only congest the neighborhood parks more.

MR. SKUSE said that the developer did look into having the entrance off of Campbell Road; however, it was decided that having it on Dorell Lane would make the development more compatible. On the other three corners of the development, Spinaker Homes has provided for signalization if it is scheduled for the future.

VICE CHAIRMAN TRUESDELL supported the project but felt that moving the entrance to

PLANNING COMMISISON MEETING OF APRIL 28, 2005
Planning and Development Department
Item 60 – MOD-6295

MINUTES – Continued:

Campbell Road across from the entrance to the development on the east side might be a traffic improvement over having a major drive so close in between two streets on Dorell Lane. He deferred to GINA VENGLASS, Public Works Department, who stated her department would have no problem with the entrance aligning with Horizon.

CHAIRMAN NIGRO asked if there was a Site Plan submitted showing the entrance on Campbell Road. MR. SKUSE replied that it was considered but he did not have one to look at during the meeting. Also, the site would be severely impacted if the entrance was on Campbell Road because approximately eight buildings would be lost.

VICE CHAIRMAN TRUESDELL asked for clarification regarding the guest parking. MR. LEOBOLD clarified that having the spaces marked as guest parking only would eliminate residents from parking second or third cars there. VICE CHAIRMAN TRUESDELL thought a significant amounts of parking islands would help. MS. VENGLASS commented that the proposed condition to stripe the street to indicate guest parking would be acceptable to Public Works as long as the street was going to be private. Planning and Development staff was recommending denial on the application asking that the street be allowed to remain private. The width of that street would be fine because it is the same width of a public street.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 60 [MOD-6295], Item 61 [ZON-6297], Item 62 [WVR-6310], Item 63 [SUP-6306] and Item 64 [SDR-6301].

(10:14 – 10:29)

3-2044

CONDITION:

Planning and Development

1. A Rezoning (ZON-6297) to a T-C (Town Center) Zoning District approved by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-6297 - REZONING RELATED TO MOD-6295 - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: PHD ASSETS, L.L.C. - Request for a Rezoning FROM: U (UNDEVELOPED) [TC (TOWN CENTER) GENERAL PLAN DESIGNATION] TO: T-C (TOWN CENTER) [PROPOSED: MLA-TC (Medium-Low Attached Density Residential – Town Center) Special Land Use Designation] on 5.07 acres adjacent to the northwest corner of Dorrell Lane and Campbell Road (APN 125-20-101-012), Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESDELL – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is under contract with Pardee Homes and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 60 [MOD-6295] for related discussion on Item 60 [MOD-6295], Item 61 [ZON-6297], Item 62 [WVR-6310], Item 63 [SUP-6306] and Item 64 [SDR-6301].

(10:14 – 10:29)

3-2044

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 61 – ZON-6297

CONDITIONS:

Planning and Development

1. A Major Modification (MOD-6295) of the Town Center Land Use Plan to a MLA-TC (Medium-Low Attached Density Residential – Town Center) land use designation approved by the City Council.
2. Pursuant to Title 19.06.110, this Rezoning request shall go direct to Ordinance.
3. A Site Development Plan Review application (SDR-6301) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate 40 feet of right-of-way adjacent to this site for Dorrell Lane, 40 feet on Campbell Road and a 25 foot radius on the northwest corner of Dorrell Lane and Campbell Road.
5. Construct half-street improvements on Dorrell Lane and Campbell Road adjacent to this site and construct the full roundabout within the intersection of Dorrell Lane and Campbell Road concurrent with development of this site. Coordinate with the Traffic Engineering Division on the design of the roundabout. The roundabout shall be landscaped in accordance with Town Center standards and maintained by the Homeowners Association. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
6. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site, including roundabout landscaping, prior to occupancy of this site.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 61 – ZON-6297

CONDITIONS – Continued:

determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

WVR-6310 - WAIVER RELATED TO MOD-6295 AND ZON-6297 - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: PHD ASSETS, L.L.C. - Request for a Waiver of Title 18.12.160 TO ALLOW APPROXIMATELY 177 FEET AND 208 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED on 5.07 acres adjacent to the northwest corner of Dorrell Lane and Campbell Road (APN 125-20-101-012), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone] [PROPOSED: MLA-TC (Medium-Low Attached Density Residential – Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is under contract with Pardee Homes and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 60 [MOD-6295] for related discussion on Item 60 [MOD-6295], Item 61 [ZON-6297], Item 62 [WVR-6310], Item 63 [SUP-6306] and Item 64 [SDR-6301].

(10:14 – 10:29)

3-2044

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 62 – WVR-6310

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-6295), Rezoning (ZON-6297) and Site Development Plan Review (SDR-6301).
2. All City Code Requirements and all City Department design standards shall be met, other than those waived or varied through this and companion applications.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-6306 - SPECIAL USE PERMIT RELATED TO MOD-6295, ZON-6297, AND WVR-6310 - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: PHD ASSETS, L.L.C. - Request for a Special Use Permit FOR A PROPOSED GATED COMMUNITY WITH PRIVATE STREETS AND A WAIVER OF TOWN CENTER DEVELOPMENT STANDARDS TO ALLOW A SINGLE GATED ENTRANCE WHERE A MINIMUM OF TWO GATED ENTRANCES IS REQUIRED adjacent to the northwest corner of Dorrell Lane and Campbell Road (APN 125-20-101-012), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone] [PROPOSED: MLA-TC (Medium-Low Attached Density Residential - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESEDELL – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is under contract with Pardee Homes and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 60 [MOD-6295] for related discussion on Item 60 [MOD-6295], Item 61 [ZON-6297], Item 62 [WVR-6310], Item 63 [SUP-6306] and Item 64 [SDR-6301].

(10:14 – 10:29)

3-2044

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 63 – SUP-6306

CONDITIONS:

Planning and Development

1. Conformance to all requirements under Title 19.04.040.C and the Town Center Development Standards Manual Subsection E.G, except those waived by this application.
2. The requirement for two active gated entrances to the development is hereby waived.
3. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-6295), Rezoning (ZON-6297), Waiver (WVR-6310) and Site Development Plan Review (SDR-6301).
4. Private streets and drives shall be subject to the design standards specified in Title 18 (Las Vegas Subdivision Ordinance).
5. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
6. All City Code Requirements and all City Department design standards shall be met, other than those waived through this and companion applications.

Public Works

7. Private streets and private drives shall be common lots that are offered as a public utility easement (P.U.E), City of Las Vegas public sewer easement and public drainage easement to be privately maintained by the Homeowners Association.
8. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
9. Gated access drives shall be designed, located and constructed in accordance with Standard Drawing #222a.
10. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
11. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-6297 and all other applicable site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6301 - SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-6295, ZON-6297, WVR-6310, AND SUP-6306 - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: PHD ASSETS, L.L.C. - Request for a Site Development Plan Review FOR A PROPOSED 52 LOT SINGLE FAMILY ATTACHED RESIDENTIAL DEVELOPMENT on 5.07 acres adjacent to the northwest corner of Dorrell Lane and Campbell Road (APN 125-20-101-012), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone] [PROPOSED: MLA-TC (Medium-Low Attached Density Residential – Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is under contract with Pardee Homes and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 60 [MOD-6295] for related discussion on Item 60 [MOD-6295], Item 61 [ZON-6297], Item 62 [WVR-6310], Item 63 [SUP-6306] and Item 64 [SDR-6301].

(10:14 – 10:29)

3-2044

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 64 – SDR-6301

CONDITIONS:

Planning and Development

1. A Major Modification (MOD-6295) to an MLA-TC (Medium-Low Attached Density Residential – Town Center) designation and a Rezoning (ZON-6297) to a T-C (Town Center) Zoning District approved by the City Council.
2. A Waiver (WVR-6310) of Title 18 to allow a substandard intersection offset approved by the City Council.
3. A Special Use Permit (SUP-6306) to allow a gated community with private streets in Town Center, including a waiver to allow a single gated entrance, approved by the City Council.
4. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
5. All development shall be in conformance with the site plan and building elevations date stamped 04/04/05 and the parking plan date stamped 04/13/05, except as amended by conditions herein.
6. Nine parking spaces along the private street shall be striped and marked exclusively for guest parking. The homeowners association shall strictly enforce the guest parking requirement for these spaces.
7. The standards for this development shall include the following: minimum lot size of 1,540 square feet; minimum distance between buildings of 15 feet; maximum building height of two stories or 35 feet, whichever is less; minimum front yard setback (to dwelling) of five feet, with no more than 1.5-foot encroachments by patio covers; maximum rear yard setback (to garage) of six feet, with no more than two-foot encroachments by the buildings' second story; minimum side yard setback of either zero feet or no less than 3.5 feet; and minimum corner side yard setback of 3.5 feet.
8. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to show 36-inch box trees 30 feet on-center, alternating one flowering tree and one shade tree in the Campbell Road and Dorrell Lane Amenity Zones. Additional landscaping at the development entry shall be provided according to the Town Center Development Standards Manual.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 64 – SDR-6301

CONDITIONS – Continued:

9. A stamped landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
11. Any interior property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Perimeter walls shall be constructed to Town Center Development Standards. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
14. All City Code Requirements and all City Department design standards shall be met, other than those waived through this and companion applications.

Public Works

15. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
16. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-6297, SUP-6306 and all other applicable site-related actions.
17. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 64 – SDR-6301

CONDITIONS – Continued:

City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-6274 - REZONING - PUBLIC HEARING - APPLICANT: ALL INVESTMENTS - OWNER: EXBER, INC. - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE) on 1.79 acres adjacent to the north side of Centennial Parkway, approximately 310 feet east of Leon Avenue (APN 125-24-404-007), Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – APPROVED subject to conditions – Motion carried with DAVENPORT voting NO and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 65 [ZON-6274], Item 66 [WVR-6277], Item 67 [VAR-6276] and Item 68 [SDR-6275].

GARY LEOBOLD, Planning and Development, gave a brief overview of the applications. The proposed lots range from 4,512 to 7,120 square feet and will be served by a private, 40-foot wide internal street network. Staff recommended denial primarily on the basis of the variance. R-PD is mandated to be five acres or larger and the subject site is 1.79 acres, which is significantly below the established threshold.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 65 – ZON-6274

MINUTES – Continued:

RUSSELL SKUSE, 7525 Hickham Avenue, appeared on behalf of the applicant and concurred with all conditions. The site is very difficult to develop due to location and surrounding developments and elements. MR. SKUSE indicated he was just brought into this project two days earlier and had not had the chance to speak with the Fire Department or Traffic Engineering to discuss the reasons for the waiver on the 150-foot street length. The street is actually over 150 feet and there is an intersection in it so he was not sure about the acceptability by the Fire Department for a three-point turn. He assured the Commission he would discuss the issue with the Fire Department and work with them to resolve any concerns.

COMMISSIONER McSWAIN asked if the applicant for the property to the west was before the Commission during the 4/14/2005 meeting requesting a Variance for a wall. MR. LEOBOLD confirmed she was correct and he had asked to bring the six-foot high perimeter walls to the front property line in anticipation of this proposed project being approved. COMMISSIONER McSWAIN stated that she had voted for that gentleman's application because she thought this project was already approved. She then confirmed with MR. LEOBOLD that R-1 lots have to be a minimum of 6,500 square feet in size and there would have to be a public street. Because of these limitations, some R-1 lots could be placed on this subject site but there would be no way to make eight R-1 homes fit. Most of the proposed homes are smaller than the size required to be R-1. MR. LEOBOLD pointed out that open space is required although it is not a requirement as there are fewer than 12 lots.

COMMISSIONER McSWAIN stated that due to the odd shape of the lot and because the next-door neighbor was amenable to this project and the applicant is providing a buffer to the R-1 lots, she could support it.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 65 [ZON-6274], Item 66 [WVR-6277], Item 67 [VAR-6276] and Item 68 [SDR-6275].

(10:14 – 10:38)

3-2775

CONDITIONS:

Planning and Development

1. Approval of applications for a Variance (VAR-6276), a Waiver (WVR-6277), and a Site Development Plan Review (SDR-6275) by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 65 – ZON-6274

CONDITIONS – Continued:

2. A Resolution of Intent with a two-year time limit.

Public Works

3. Construct full width street improvements on Centennial Parkway adjacent to this site concurrent with development of this site within the existing 50-foot right-of-way, including curb, gutter, and sidewalk on the north side of Centennial Parkway, and a minimum of curb and gutter on the south side, unless otherwise directed by the City Engineer. Also, extend a minimum of two lanes of paving in the Centennial Parkway alignment westerly to tie into Leon Avenue.
4. Extend public sewer to the west edge of this site to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

WVR-6277 - WAIVER OF TITLE 18 RELATED TO ZON-6274 - PUBLIC HEARING - APPLICANT: ALL INVESTMENTS - OWNER: EXBER, INC. - Request for a Waiver of Title 18.12.130 TO ALLOW A PRIVATE STREET OVER 150 FEET IN LENGTH TO TERMINATE WITHOUT A TURN AROUND OR EMERGENCY ACCESS GATE IN CONJUNCTION WITH A PROPOSED EIGHT LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 1.79 acres adjacent to the north side of Centennial Parkway, approximately 310 feet east of Leon Avenue (APN 125-24-404-007), R-E (Residence Estates) Zone [PROPOSED: R-PD4 (Residential Planned Development - 4 units per acre) Zone], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – APPROVED subject to conditions – Motion carried with DAVENPORT voting NO and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 65 [ZON-6274] for related discussion on Item 65 [ZON-6274], Item 66 [WVR-6277], Item 67 [VAR-6276] and Item 68 [SDR-6275].

(10:14 – 10:29)

3-2044

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 66 – WVR-6277

CONDITIONS:

Planning and Development

1. Approval of applications for a Rezoning (ZON-6274), a Variance (VAR-6276), and a Site Development Plan Review (SDR-6275) by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.
2. All City code requirements and all City departments' design standards shall be met, other than those waived or varied through this and companion applications.

Public Works

3. Buildings must be constructed with fire sprinkler systems acceptable to the Department of Fire Services.
4. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
5. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-6274, Site Development Plan Review SDR-6275 and all other applicable site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-6276 - VARIANCE RELATED TO ZON-6274 AND WVR-6277 - PUBLIC HEARING - APPLICANT: ALL INVESTMENTS - OWNER: EXBER, INC. - Request for a Variance TO ALLOW A R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 1.79 ACRES WHERE 5.00 ACRES IS THE MINIMUM REQUIRED adjacent to the north side of Centennial Parkway, approximately 310 feet east of Leon Avenue (APN 125-24-404-007), R-E (Residence Estates) Zone [PROPOSED: R-PD4 (Residential Planned Development - 4 units per acre) Zone], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – APPROVED subject to conditions – Motion carried with DAVENPORT voting NO and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 65 [ZON-6274] for related discussion on Item 65 [ZON-6274], Item 66 [WVR-6277], Item 67 [VAR-6276] and Item 68 [SDR-6275].

(10:14 – 10:29)

3-2044

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 67 – VAR-6276

CONDITIONS:

1. Approval of applications for a Rezoning (ZON-6274), a Waiver (WVR-6277), and a Site Development Plan Review (SDR-6275) by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6275 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-6274, WVR-6277, AND VAR-6276 - PUBLIC HEARING - APPLICANT: ALL INVESTMENTS - OWNER: EXBER, INC. - Request for a Site Development Plan Review FOR A PROPOSED EIGHT LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 1.79 acres adjacent to the north side of Centennial Parkway, approximately 310 feet east of Leon Avenue (APN 125-24-404-007), R-E (Residence Estates) Zone [PROPOSED: R-PD4 (Residential Planned Development - 4 units per acre) Zone], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – APPROVED subject to conditions – Motion carried with DAVENPORT voting NO and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 65 [ZON-6274] for related discussion on Item 65 [ZON-6274], Item 66 [WVR-6277], Item 67 [VAR-6276] and Item 68 [SDR-6275].

(10:14 – 10:29)

3-2044

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 68 – SDR-6275

CONDITIONS:

Planning and Development

1. Approval of applications for a Variance (VAR-6276), a Waiver (WVR-6277), and a Rezoning (ZON-6274) by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.
2. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations date stamped 03/15/05, except as amended by conditions herein.
4. The standards for this development shall be established as follows: minimum lot size of 4,512 square feet, minimum distance between buildings of 10 feet, lot coverage not exceeding 50%, and building height not exceeding one story.
5. The setbacks for this development shall be a minimum of 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet to the side, 10 feet on the corner side, and 15 feet in the rear.
6. The site plan shall be revised and approved by staff of the Planning and Development Department, prior to the time application is made for a Tentative Map to reflect the setbacks noted in #5 above.
7. The landscape plan shall be revised and approved by staff of the Planning and Development Department, prior to the time application is made for a Tentative Map, to illustrate nine minimum 24-inch box trees, planted a maximum of 30 feet on-center, and a minimum of 36 five-gallon shrubs within the planter along Centennial Parkway.
8. Detailed floor plans for the proposed residences and elevations in the development shall be submitted and approved by staff of the Planning and Development Department, prior to the time application is made for a Tentative Map.
9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 68 – SDR-6275

CONDITIONS – Continued:

11. All property line walls shall be decorative block walls, with at least 20 percent contrasting materials, and they shall not exceed a height of eight feet, including the height needed for retaining. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade. Where a greater wall height is needed, it shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of eight feet.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments shall be satisfied.
14. No turf shall be placed in the non-recreational common areas, such as medians and amenity zones in this development.

Public Works

15. There is an existing 10-foot Public Drainage Easement located along the eastern perimeter of this site adjacent to Lot 8. Unless the approved Drainage Plan/Study provides an alternative design that allows for the vacation of portions of said easement, the Final Map for this site shall define the 10-foot Pubic Drainage Easement as a separate common lot that will be privately maintained by the Homeowner's Association.
16. A homeowners association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
17. Site development to comply with all applicable conditions of approval for ZON-6274, WVR-6277 and all other applicable site-related actions.
18. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-6231 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: PLASIM HOMES, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 16.00 acres adjacent to the northwest corner of Monte Cristo Way and O'Bannon Drive (APNs 163-03-302-004, 005 and 006), Ward 1 (Tarkanian).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – Motion to bring forward and **HOLD IN ABEYANCE** Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; **TABLE** Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; **WITHDRAW WITHOUT PREJUDICE** Item 18 [GPA-6270] – **UNANIMOUS** with **EVANS** and **STEINMAN** excused

MINUTES

There was no discussion.

(6:04 – 6:20)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-6232 - VARIANCE RELATED TO ZON-6231 - PUBLIC HEARING - APPLICANT/OWNER: PLASIM HOMES, LLC - Request for a Variance TO ALLOW ZERO SQUARE FEET OF OPEN SPACE WHERE 26,450 SQUARE FEET IS THE MINIMUM REQUIRED on 16.00 acres adjacent to the northwest corner of Monte Cristo Way and O'Bannon Drive (APNs 163-03-302-004, 005 and 006), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 units per acre) Zone], Ward 1 (Tarkanian).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	2
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; TABLE Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; WITHDRAW WITHOUT PREJUDICE Item 18 [GPA-6270] – UNANIMOUS with EVANS and STEINMAN excused

MINUTES

There was no discussion.

(6:04 – 6:20)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6233 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-6231 AND VAR-6232 - PUBLIC HEARING - APPLICANT/OWNER: PLASIM HOMES, LLC - Request for a Site Development Plan Review FOR A PROPOSED 37 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 16.00 acres adjacent to the northwest corner of Monte Cristo Way and O'Bannon Drive (APNs 163-03-302-004, 005 and 006), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 units per acre) Zone], Ward 1 (Tarkanian).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	2
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; TABLE Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; WITHDRAW WITHOUT PREJUDICE Item 18 [GPA-6270] – UNANIMOUS with EVANS and STEINMAN excused

MINUTES

There was no discussion.

(6:04 – 6:20)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-6283 - VARIANCE - PUBLIC HEARING - APPLICANT: AMBLING DEVELOPMENT PARTNERS, LLC - OWNER: NEVADA ALTA, LLC - Request for a Variance TO ALLOW A 20.5 FOOT SETBACK FROM THE WEST PROPERTY LINE WHERE 336 FEET IS THE MINIMUM REQUIRED; TO ALLOW A 20.1 FOOT SETBACK FROM THE NORTH PROPERTY LINE WHERE 336 FEET IS THE MINIMUM REQUIRED; AND TO ALLOW A 71.2-FOOT SETBACK FROM MARTIN L KING BOULEVARD WHERE 77 FEET IS THE MINIMUM REQUIRED on 16.78 acres adjacent to the northwest corner of Alta Drive and Martin L King Boulevard (APN 139-33-202-005), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS with STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 72 [VAR-6283], Item 73 [SUP-6284] and Item 74 [SDR-6282].

FLINN FAGG, Planning and Development Department, gave a brief explanation of the applications. The Variance relates to residential adjacency requirements but Title 19.08 does

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 72 – VAR-6283

MINUTES – Continued:

allow exceptions for mixed-use projects if it contains a substantial residential element as this project does. The applicant is dedicating additional right-of-way and therefore, must request the Variance. The applicant is requesting a Special Use Permit from the minimum standard to have the commercial uses located directly at the Public right-of-way and one of the causes is possible future street widening projects. The Site Plan has conditions relative to minor landscaping amendments and also a requirement to provide a trail along Alta Drive. GINA VENGLASS, Public Works Department, indicated there would be an amendment to Condition 16 on Item 74 [SDR-6282] and read the new verbiage into the record.

LANCE EARL, 2300 West Sahara Avenue, appeared on behalf of the applicant with EDDY BENOIT of the Ambling Development Partners, LLC and concurred with all conditions including the amendment read by MS. VENGLASS. The property is oddly configured and the Special Use Permit is necessary to build the project as contemplated. Also, the applicant is being requested to dedicate almost two acres of land in a triangular shape on Martin Luther King Boulevard with a portion of it on Alta Drive and that dedication creates issues relating to development and require the Variance.

DANIAL DEEGAN, 1801 Granite Avenue, indicated that he had spoken against the previous plan for this site but finds this plan acceptable. He noted that a substantial agreement had been reached between the developer and the neighbors. The applicant met with the residents prior to the pre-application phase and many alternatives were discussed. The developer seemed more serious about the negotiation process this time as well. After repeated meetings the residents were able to work in harmony without inference from individuals who were involved in previous the negotiation process.

WILLIAM STOJACK, 1820 West Mesquite Avenue, a member of the Board of Directors for the Rancho Manor Neighborhood Association, commended the applicant on working well with the neighbors. The project should be a focal point in the neighborhood, one that is badly needed. Traffic mitigation has been addressed and this development will benefit the neighborhood.

COMMISSIONER GOYNES expressed his pleasure over the developer and neighbors being able to reach a compromise. He recollected that many residents accused him of being involved in the previous application only because he had financial interest, an accusation that offended him greatly. Events over the last few months have proven that none of those accusations were factual. His involvement was driven by a wish to bring the neighborhood together and work out issues with the developer. In his 13 years on the Board he has never been in the back pocket of a developer and has maintained his goal of having neighbors sit down with developers whether a Commissioner is present at the meeting or not. Putting that aside, the Commissioner recommended approval because the neighbors are asking for it.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 72 – VAR-6283

MINUTES – Continued:

VICE CHAIRMAN TRUESDELL stated that he supports the project now and he noted many of the concerns over the previous plan have been addressed with this second rendition. The developer in cooperation with staff and the residents, has come up with a project that is much more appropriate and sympathetic to the area.

CHAIRMAN NIGRO asked about the destination of the required trail mentioned during the staff report. MR. FAGG stated the trail is intended to extend along the north side of Alta Drive. It will run east/west and would eventually connect to the downtown trail system. The trail would be ten feet wide and landscaped on both sides. MR. LEOBOLD noted that the World Market project on the east side of the I-15 freeway will be providing a ten-foot wide trail that will connect into Discovery Drive as well. CHAIRMAN NIGRO questioned how it would run under the railroad tracks and the freeway. MR. FAGG said the trail is not currently planned to go further west but the eventual hope is that it will.

COMMISSIONER DAVENPORT asked if a traffic median would be installed on Alta Drive to prohibit left turns. MR. EARL indicated that from Alta Drive, there would be a right turn in, right turn out only. Such issues will be addressed with the Traffic Engineering division as required. The applicant is prepared to take measures to address all traffic concerns.

MR. EARL thanked everyone involved in the collaborative effort.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 72 [VAR-6283], Item 73 [SUP-6284] and Item 74 [SDR-6282].

(10:38 – 10:56)

3-3253

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-6284) and Site Development Plan Review (SDR-6282).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-6284 - SPECIAL USE PERMIT RELATED TO VAR-6283 - PUBLIC HEARING - APPLICANT: AMBLING DEVELOPMENT PARTNERS, LLC - OWNER: NEVADA ALTA, LLC - Request for a Special Use Permit FOR A PROPOSED MIXED USE COMMERCIAL AND RESIDENTIAL DEVELOPMENT AND A WAIVER FROM THE PRIMARY ENTRYWAY BEING DIRECTLY FROM AND ORIENTED TO A STREET adjacent to the northwest corner of Alta Drive and Martin L King Boulevard (APN 139-33-202-005), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS with STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 72 [VAR-6283] for related discussion on Item 72 [VAR-6283], Item 73 [SUP-6284] and Item 74 [SDR-6282].

(10:38 – 10:56)
3-3253

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 73 – SUP-6284

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Mixed-Use development.
2. A waiver of the nonresidential use not being located at ground level fronting the primary public right-of-way, and the primary entryway to that use not being directly from and oriented to a street, is hereby granted.
3. Approval of and conformance to the Conditions of Approval for applications submitted for a Variance (VAR-6283) and a Site Development Plan Review (SDR-6282).
4. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6282 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-6283 AND SUP-6284 - PUBLIC HEARING - APPLICANT: AMBLING DEVELOPMENT PARTNERS, LLC - OWNER: NEVADA ALTA, LLC - Request for a Site Development Plan Review FOR A PROPOSED MIXED USE DEVELOPMENT CONSISTING OF THREE (3) NINE STORY TOWERS AND ONE (1) FIVE STORY TOWER CONTAINING 664 RESIDENTIAL UNITS AND 24,970 SQUARE FEET OF COMMERCIAL SPACE on 16.78 acres adjacent to the northwest corner of Alta Drive and Martin L. King Boulevard (APN 139-33-202-005), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESDELL – APPROVED subject to conditions and amending the following condition:

16. **Coordinate the right-of-way requirements *and construction requirements* for Martin L. King Boulevard/*Alta Drive* with the City Engineer's Office and the Nevada Department of Transportation (N.D.O.T.) prior to the issuance of any permits or the submittal of a Tentative Map for this site, whichever may occur first.**

– UNANIMOUS with STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 72 [VAR-6283], Item 73 [SUP-6284] and Item 74 [SDR-6282].

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 74 – SDR-6282

MINUTES – Continued:

(10:38 – 10:56)
3-3253

CONDITIONS:

Planning and Development

1. A Special Use Permit (SUP-6284) to allow Mixed-Use development, and a Variance (VAR-6283) from Residential Adjacency Standards and the height limits listed in Title 19.08.030(C), approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, date stamped 03/15/05, except as amended by conditions herein.
4. The applicant shall be required to develop a Multi-Use Transportation Trail along the Alta Drive frontage in compliance with the Transportation Trails Element of the General Plan. The trail may be located within the perimeter buffer area, provided that five-foot landscape amenity zones are located on both sides of the trail in accordance with the Transportation Trails Element of the Las Vegas 2020 Master Plan.
5. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development. Turf shall not exceed a maximum of 12.5% of the total landscaped area.
6. Parking lot landscaping shall conform to the minimum requirements listed in Title 19.12.040.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
8. Glazing shall conform to the Commercial Development Standards listed in Title 19.08.045.
9. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 74 – SDR-6282

CONDITIONS – Continued:

site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. All property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A Master Sign Plan shall be submitted for approval of the Planning Commission prior to the issuance of a Certificate of Occupancy for any building on the site.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Coordinate the location and right-of-way requirements for the Martin L. King Boulevard project with the City Engineer's Office and the Nevada Department of Transportation (N.D.O.T.) prior to the issuance of any permits or the submittal of a Tentative Map for this site, whichever may occur first.
16. Dedicate an additional 20 feet of right-of-way adjacent to this site for Alta Drive and Martin L. King Boulevard concurrent with development of this site. Also dedicate the appropriate right-of-way required for a bus turnout/deceleration lane on Alta Drive and rights-of-way per standard drawing 201.1 for the intersection of Martin L. King Boulevard and Alta Drive unless specifically noted as not required by the updated Traffic Impact Analysis.
17. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards. Construct all incomplete half-street improvements on Alta Drive and Martin L. King Boulevard adjacent to this site concurrent with development of this site.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 74 – SDR-6282

CONDITIONS – Continued:

18. All new gated driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
19. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
20. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
21. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.
22. Landscape and maintain all unimproved rights-of-way on Alta Drive and Martin L. King Boulevard adjacent to this site.
23. Submit an application for an Occupancy Permit for all landscaping and private improvements in the Martin L. King Boulevard public right-of-way adjacent to this site prior to the issuance of any permits. Submit an Encroachment Agreement for all landscaping and private improvements located in the Alta Drive public right-of-way adjacent to this site prior to issuance of any permits for this site.
24. An update to the previously approved Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 74 – SDR-6282

CONDITIONS – Continued:

location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

25. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
26. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-6319 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WELLES-PUGSLEY ARCHITECTS, LLP - OWNER: ANN ROAD PROPERTIES, LTD. -
Request for a Special Use Permit FOR A PROPOSED SERVICE STATION adjacent to the northeast corner of Ann Road and Leggett Road (APN 125-28-818-005), C-2 (General Commercial) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 06/01/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	4
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	1
City Council Meeting	

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Petition of Opposition with 49 signatures submitted by Penny Baratta (filed under Item 75)

MOTION:

McSWAIN – DENIED – UNANIMOUS with STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 75 [SUP-6319], Item 76 [SUP-6320] and Item 77 [SDR-6316].

FLINN FAGG, Planning and Development Department, gave a brief explanation of the applications for a service station with a convenience store and fast food restaurant incorporated within it. The service station requires a Special Use Permit and that application includes an automated car wash. There is also a Special Use Permit for off-premise liquor sales. There are

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 75 – SUP-6319

MINUTES – Continued:

no protected uses within the 400-foot radius so staff had no concerns with the request. Regarding the Site Development Plan Review, staff has imposed a condition recommending minor revisions to the elevations to the south and west so that they comply with the Commercial Development Standards. There is also a request from the applicant for a waiver from the foundation landscaping requirements. Because of the additional landscaping provided in the buffer areas, staff is recommending approval of that waiver. Parking is sufficient but a shared parking agreement will be required between the two parcels.

JOHN BARGER, 2480 East Tompkins Avenue, appeared on behalf of the applicant and concurred with all conditions of approval.

JOHN HOLMAN, 7637 Desert Breeze Avenue, Director of the Board of Directors for Desert Creek development, which is to the east and north of the proposed site, noted that this same proposal has been before the board approximately three times in the last 15 years. It gets denied every time and nothing has changed so it should be denied again. The subject parcel is surrounded by residential. The parcel was approved as commercial 30 years ago and this is not appropriate for the area.

JOE CHERNICOFF, 5713 Centralia Street, member of Canyon Creek North Homeowner Association and SANDY BAKLAJIAN, 5700 Whale Rock Street, stated there were many gas station/convenience stores within five minutes of the area and they do not need one at this site. He referenced concerns over having a liquor store where local children walk to school and so close to the community center.

WILLIAM BAGLEY, 5501 Desert Spring Road, disclosed that his company does have ties with Nigro Development but he appeared as a homeowner of the Painted Desert community. His homeowner association mailed out a survey to determine support for the proposed development and of the 122 homeowners, 64 responded and the majority were against this project. J.D. STREETER confirmed the comments of MR. BAGLEY and added that it was 46 respondents, or 72 percent, of the 64 who responded that were against the project. He voiced concern over noise and drainage issues on Ann Road.

SIDNEY McCOMB, 5601 Desert Creek Way, explained that he has to pick up trash and beer cans from his property daily. Adding a service station would only make the problem worse. He asked for denial.

THOMAS FIORE and VIVIAN TAIBI, 8229 Shad Bush Avenue, stated that the same type of application for this property was brought before the City in 1993 and 2000. The last application

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 75 – SUP-6319

MINUTES – Continued:

had a petition of opposition submitted with 900 signatures. The residents are not against commercial if it is beneficial to the area.

KELLY KELLEY, 5525 Desert Spring Road, appeared and spoke on behalf of her husband, MICHAEL KELLEY as well. They purchased their home in this location to assure the safety of their children. They live directly across the street from the subject site and now fear that the business would compromise their safety while walking to school. She pointed out that the bus drops off the middle-school children a few hundred yards from the subject site. A nearby park, Cimarron Rose, is nearby and there is a church and a school in that park. MS. KELLEY fears individuals purchasing liquor would loiter in that park because of its proximity to the proposed project.

JOHN ANZEVINO, 5453 Desert Spring Road, stated there are no traffic controls to take care of additional development in this center. JODY STHILAIRE, Desert Spring Road, said her primary concerns were the safety of children, liquor being sold from the site and traffic. PENNY BARATTA, 5724 Owl Butte Court, explained she is in opposition to the project because it is unnecessary as the same uses are within a mile of the neighborhood. The commercial sites that are currently in the shopping center are closed no later than 8 p.m. and are very low-key uses.

KIM CAULFIELD, 7608 Valley Green Drive, has worked for 15 years to keep commercial development out of the neighborhood. The residents continue to fight the same fight every four or five years. Residents on Ann Road are anticipating the exchange opening up so the traffic on Ann Road would lessen. Adding more commercial would worsen the traffic.

MR. BARGER noted that the opposition is due to the use of the site, not its design. The use is an accessory use to a permitted use in the C-2 zoning. This would be the last commercial pad on the existing commercial center and staff is recommending approval. The applicant did meet with some of the homeowners groups and there were no requests for changes because the opposition was to the use.

COMMISSIONER McSWAIN noticed that directly across from the subject site is an entrance to a residential subdivision. She disagreed with staff's recommendation because it is not compatible in any way. To have any type of a 24-hour service directly in front of an entrance to a neighborhood is inappropriate. She found the site to be a focal point of the neighborhood and thought residents should not have to compete with traffic coming to or from that type of use. She stated she would not support the items but asked that a condition be added if the items were approved relative to signage restrictions so that typical signage at a service station would not further impact the residents to the south of the site. MARGO WHEELER, Director, Planning

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 75 – SUP-6319

MINUTES – Continued:

and Development, indicated her request would go forward as a notation to Council in the event the item is denied.

COMMISSIONER GOYNES could not support this type of use either. He encouraged the applicant to meet with some of the neighbors to find out what type of use they would welcome into the neighborhood.

VICE CHAIRMAN TRUESDELL found the use issue to be paramount. The additional use permit requirement allows the Board to review compatibility. He questioned how a gas truck could deliver fuel to the site. MR. BARGER explained that the driveways were already existing and using those, the fuel truck would probably come down off of Ann Road and would circle through the property. He added that the landscaping on the median where the truck would park to fuel is heavily landscaped to help hide that activity from the street view. VICE CHAIRMAN TRUESDELL also questioned the proposed restaurant space. MR. BARGER indicated that the applicant was assuming restaurant to be sure the parking requirement was met no matter what went into that lease space. VICE CHAIRMAN TRUESDELL noted that most of the parking for such a use would be in the center of the development. That would require the clients to walk across two driveways to access the restaurant. He did not feel pedestrian access had been accommodated. He questioned the public safety aspect of the parking scenario.

CHAIRMAN NIGRO shared the concerns of the other Commissioners. The backup indicated that City Council has stated in past years that this use was not appropriate for the corner. He asked why the applicant feels the use is now appropriate. Any use considered for this corner should be less intense.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 75 [SUP-6319], Item 76 [SUP-6320] and Item 77 [SDR-6316].

(10:56 – 11:29)

4-381

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-6320 - SPECIAL USE PERMIT RELATED TO SUP-6319 - PUBLIC HEARING - APPLICANT: WELLES-PUGSLEY ARCHITECTS, LLP - OWNER: ANN ROAD PROPERTIES, LTD. - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) adjacent to the northeast corner of Ann Road and Leggett Road (APN 125-28-818-005), C-2 (General Commercial) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 06/01/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Petition of Opposition with 49 signatures submitted by Penny Baratta (filed under Item 75)

MOTION:

McSWAIN – DENIED – UNANIMOUS with STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 75 [SUP-6319] for related discussion on Item 75 [SUP-6319], Item 76 [SUP-6320] and Item 77 [SDR-6316].

(10:56 – 11:29)

4-381

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6316 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-6319 AND SUP-6320 - PUBLIC HEARING - APPLICANT: WELLES-PUGSLEY ARCHITECTS, LLP - OWNER: ANN ROAD PROPERTIES, LTD. - Request for a Site Development Plan Review FOR A PROPOSED 7,000 SQUARE FOOT RETAIL DEVELOPMENT CONSISTING OF A CONVENIENCE STORE IN CONJUNCTION WITH A SERVICE STATION AND A RESTAURANT AND A WAIVER OF THE FOUNDATION LANDSCAPING STANDARDS on 1.14 acres adjacent to the northeast corner of Ann Road and Leggett Road (APN 125-28-818-005), C-2 (General Commercial) Zone, Ward 6 (Mack)

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Petition of Opposition with 49 signatures submitted by Penny Baratta (filed under Item 75)

MOTION:

McSWAIN – DENIED – UNANIMOUS with STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 75 [SUP-6319] for related discussion on Item 75 [SUP-6319], Item 76 [SUP-6320] and Item 77 [SDR-6316].

(10:56 – 11:29)

4-381

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-6323 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: W. DOUGLAS HITT - OWNER: DEER SPRINGS INVESTMENTS, LLC, ET AL - Request for a Special Use Permit FOR A PROPOSED 5,200 SQUARE FOOT TAVERN adjacent to the northwest corner of Deer Springs Way and Durango Drive (APN 125-20-201-025), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining because he has a business relationship with DOUG HITT and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 78 [SUP-6323], Item 79 [SUP-6326], Item 80 [SUP-6330] and Item 81 [SDR-6317].

GARY LEOBOLD, Planning and Development Department, gave a brief explanation of the applications. The development will have two access points. The two towers will have two parking structures. Several waivers from Town Center Standards are needed including

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 78 – SUP-6323

MINUTES – Continued:

residential adjacency standards, parking area trees, building stepback, build to lines and providing building entry ways every 50 feet on the façade. The Special Use Permit applications are for a tavern and a supper club. The applicant does have approval for tavern on the site already. Town Center Standards do not have any tavern-to-tavern distance separation requirement so two are allowed. There is also a Special Use Permit required because the project exceeds 12 stories in the UTCT (Urban Center Mixed Use) designation. Staff felt the project would be a positive contribution to the neighborhood. The applicant will have to enter into a development agreement per Code.

BOB GRONAUER, Attorney, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. While referencing the Master Plan for Town Center, ATTORNEY GRONAUER pointed out that in 1998, when the plan was adopted, the City Council encouraged the creation of a town center type of mixed-use area. The area was envisioned to go vertical and have urban center types of development and this area was considered back then to be the main thoroughfare. The City has spent approximately about seven million dollars in constructing an S curve alignment in this area. This property is located within the UC (Urban Center Mixed Use – Town Center) designation and that is where the most intense residential and commercial uses should be located.

He noted that along the Durango Alignment there is a Kohls Shopping Center and the Montecito Center, which are under construction as well as a proposed hospital. To the north is a multi-family development, which was approved several years ago with some commercial/retail on the first floor of the buildings.

The current application is for mixed/retail on the bottom floors. The second, third and fourth floors will have office space and from the fifth floor up will be residential units. ATTORNEY GRONAUER felt the use was compatible with the area because to the west of the property, a project has been approved for an office building up to 204 feet in height with a garage area over 50 feet tall. Approval of that project has set a precedent for the area.

EDWARD LAWRENCE, 6827 Momentos Street, spoke in opposition of the project. He moved to this location in February of 2004 to get into a suburb area. He is aware of the hospital going in across the street but in his opinion, Durango Drive provides a nice buffer between the commercial developments ATTORNEY GRONAUER referenced. MR. LAWRENCE also complained that any development over three stories would block his view. The community atmosphere is being eaten away by the development of commercial properties and apartment complexes. He also expressed concern over having a tavern at the subject site because of all of the children who play there.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 78 – SUP-6323

MINUTES – Continued:

BRIGITTE SOLVIE, 7038 North Conquistador Street, questioned how staff could approve a design going up to 24 stories in height when Town Center would only approve up to 12 stories. She compared the proposal to the height of the new Red Rock Casino. Bank buildings are not this high. She could not understand how the Commission could consider putting a structure of this height next to a three-story apartment complex with first floor commercial. MS. SOLVIE asked that more consideration and review be given before voting on such an item. CAROL SQUIRES, 9685 Elkhorn Road, agrees with MS. SOLVIE and did not think the project is needed.

ATTORNEY GRONAUER rebutted by saying this has been the design for the last several years with respect to Town Center. This is the most intense area in the vicinity of Town Center. The neighbors who live off of Momentos are already subjected to an approved 200-foot tall office building with a 50-foot tall garage. That is the development this proposed project will abut. This project will be a for sale project. Line of sight elevations have been done and because of the garage of the adjacent development, the proposed project would not have any impact on the homeowners. This project is compatible and it is needed.

COMMISSIONER GOYNES found ATTORNEY GRONAUER'S argument compelling. Currently, the plan for Town Center has not been followed to the T and that is why people feel there should not be high density there. He confirmed ATTORNEY GRONAUER'S comments that it was intended that the most intense uses be located in this area. He would support the project.

COMMISSIONER McSWAIN asked why the applicant needed an exception to the standard for Town Center. MR. LEOBOLD clarified that it was not a restriction. There is no height limit; however, once a development reaches 12 stories, there is a required review process through Planning Commission and City Council to assess whether that height beyond the 12 stories is appropriate or not. Staff assessed the situation and found the request to be appropriate because of the intervening building mentioned by ATTORNEY GRONAUER and because of what the approved densities were in the area. He used the Momento subdivision for an example and stated it could have been approved up to a seven-story tower but the developer decided to build one and two story single-family homes instead. The intent of the plan is being more truly fulfilled by this proposed project than by what has been built previously in nearby locations.

COMMISSIONER McSWAIN said her quandary over the project was that this building would be the only one of its type. Much of the stretch has developed differently than originally anticipated. She was not comfortable with the concept of high-rise sprawl. This will not be a part of a skyline but will stand out on its own. COMMISSIONER McSWAIN also indicated that

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 78 – SUP-6323

MINUTES – Continued:

she did not find the buildings architecturally attractive. ATTORNEY GRONAUER said the designer of this building is the same designer of the SoHo Lofts. The balconies proposed for this project would be similar to those of the SoHo lofts. COMMISSIONER McSWAIN clarified that she was not against the balconies. She did feel the look of the building was like urban Chicago tenement housing. The pop outs were described as monotonous. ATTORNEY GRONAUER indicated the applicant would be amenable to changing the design on the outside of the building.

CHAIRMAN NIGRO concurred with COMMISSIONER GOYNES. This project is exactly what was wanted in Town Center and this is where it was supposed to be. He understood the original concept of Town Center was to develop this type of product in an urban core in the northwest. He shared the concerns of COMMISSIONER McSWAIN in that this was the first project of this type but there has to be a first to get others to come.

COMMISSIONER GOYNES asked about view obstruction being taken into consideration when reviewing applications. He questioned whether that is considered from a planner's perspective when looking at land use issues. CHAIRMAN NIGRO explained that the purpose of residential adjacency standards was to serve as a view protection mechanism. MR. LEOBOLD added that it helped with privacy as well.

MARGO WHEELER, Director, Planning and Development Department, had MR. LEOBOLD discuss the already approved project planned to the west of this site which is a 15 story office project with a six story parking structure behind it. He felt ATTORNEY GRONAUER'S estimates, as to height, were accurate. The tower would be pushed to the southeastern portion of the site so it's away from the residential by approximately 70 or 80 feet. The parking garage would be 25 to 30 feet away and there is a landscaping buffer planned to help mitigate the impact at ground level.

GINA VENGLASS, Public Works Department, pointed out that her department is requiring a bus turnout on Deer Springs Way and it was not shown on the current plan. ATTORNEY GRONAUER acknowledged that and indicated the applicant would adjust the plan as necessary to accommodate the turnout. CHAIRMAN NIGRO confirmed with MS. VENGLASS that the bus turnout was already conditioned on the project.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 78 [SUP-6323], Item 79 [SUP-6326], Item 80 [SUP-6330] and Item 81 [SDR-6317].

(11:29 – 11:55)

4-1546

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 78 – SUP-6323

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements of the Town Center Development Standards Manual for Pubs, Bars and Lounges (Taverns).
2. Approval of and conformance to the conditions of approval for Special Use Permits (SUP-6326 and SUP-6330) and a Site Development Plan Review (SDR-6317).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-6326 - SPECIAL USE PERMIT RELATED TO SUP-6323 - PUBLIC HEARING - APPLICANT: W. DOUGLAS HITT - OWNER: DEER SPRINGS INVESTMENTS, LLC, ET AL - Request for a Special Use Permit FOR A PROPOSED 7,256 SQUARE FOOT SUPPER CLUB adjacent to the northwest corner of Deer Springs Way and Durango Drive (APN 125-20-201-025), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining because he has a business relationship with DOUG HITT and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 78 [SUP-6323] for related discussion on Item 78 [SUP-6323], Item 79 [SUP-6326], Item 80 [SUP-6330] and Item 81 [SDR-6317].

(11:29 – 11:55)

4-1546

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 79 – SUP-6326

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements of the Town Center Development Standards Manual for Pubs, Bars and Lounges (Taverns).
2. Approval of and conformance to the conditions of approval for Special Use Permits (SUP-6323 and SUP-6330) and a Site Development Plan Review (SDR-6317).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-6330 - SPECIAL USE PERMIT RELATED TO SUP-6323 AND SUP-6326 - PUBLIC HEARING - APPLICANT: W. DOUGLAS HITT - OWNER: DEER SPRINGS INVESTMENTS, LLC, ET AL - Request for a Special Use Permit FOR A PROPOSED MIXED USE DEVELOPMENT IN EXCESS OF 12 STORIES adjacent to the northwest corner of Deer Springs Way and Durango Drive (APN 125-20-201-025), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining because he has a business relationship with DOUG HITT and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 78 [SUP-6323] for related discussion on Item 78 [SUP-6323], Item 79 [SUP-6326], Item 80 [SUP-6330] and Item 81 [SDR-6317].

(11:29 – 11:55)

4-1546

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 80 – SUP-6330

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements of the Town Center Development Standards.
2. Approval of and conformance to the conditions of approval for Special Use Permits (SUP-6323 and SUP-6326) and a Site Development Plan Review (SDR-6317).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6317 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-6323 AND SUP-6330 - PUBLIC HEARING - APPLICANT: W. DOUGLAS HITT - OWNER: DEER SPRINGS INVESTMENTS, LLC, ET AL - Request for a Site Development Plan Review FOR A PROPOSED MIXED USE DEVELOPMENT CONSISTING OF TWO 24 STORY TOWERS CONTAINING 474 RESIDENTIAL UNITS AND 144,200 SQUARE FEET OF COMMERCIAL SPACE, OF WHICH 102,744 SQUARE FEET IS OFFICE SPACE on 5.21 acres adjacent to the northwest corner of Deer Springs Way and Durango Drive (APNs 125-20-201-016 and 025), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions and adding the following condition:

- *The applicant shall work with staff on the architectural enhancements of the façade.*
- **UNANIMOUS** with **TRUESDELL** abstaining because he has a business relationship with **DOUG HITT** and **STEINMAN** and **EVANS** excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 78 [SUP-6323] for related discussion on Item 78 [SUP-6323], Item 79 [SUP-6326], Item 80 [SUP-6330] and Item 81 [SDR-6317].

(11:29 – 11:55)

4-1546

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 81– SDR-6317

CONDITIONS:

Planning and Development

1. Approval of and conformance to the conditions of approval for Special Use Permits (SUP-6323, SUP-6326 and SUP-6326).

Waivers shall be granted in the Town Center Development Standards listed as follows:

In the Residential Adjacency Standards to permit buildings to be constructed to a height of 322 feet without compliance with the setback requirement.

In the provision of parking area trees.

In the step backs of buildings.

In build-to-line standards.

In building entryways provided every 50 feet.

2. The development shall be in full compliance with all other Town Center Development Standards.
3. The submittal and approval of a development agreement per Title 19.18.090.
4. A Master Sign Plan shall be submitted for approval by the Centennial Hills Town Center Architectural Review Committee prior to the issuance of a building permit for any building on the site.
5. The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit to ascertain compliance with the conditions of approval in this report and to the Town Center Development Standards. In particular, buildings shall be or have the appearance of heights no less than two stories and loading spaces shall be shown.
6. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
7. The applicant shall meet with staff of the Planning and Development Department to develop a comprehensive address plan for the subject site prior to the submittal of a building permit. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
8. The landscape plan shall be revised, fully dimensioned, and approved by staff of the Planning and Development Department prior to the time application is made for a building permit to reflect the following:

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 81– SDR-6317

CONDITIONS – Continued:

Compliance with the Town Center Development Standards for the amenity zones along Durango Drive and Deer Springs Way.

Open space equal to 20 percent of the total area.

9. Landscaping and a permanent underground sprinkler system shall be installed and permanently maintained in a satisfactory manner. (Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.)
10. All mechanical equipment, air conditioners and trash containers shall be fully screened in views from the abutting streets.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wall pack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and it shall not exceed a height of eight feet, including the height needed for retaining. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade, unless otherwise stipulated. Where a greater wall height is needed, it shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of eight feet.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures.
15. All City code requirements and design standards of all City departments shall be satisfied.
16. No turf shall be placed in common areas such as medians and amenity zones in this development.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 81– SDR-6317

CONDITIONS – Continued:

Public Works

17. Dedicate 30 feet of right-of-way adjacent to this site for the portion of Hitt Family Court (AKA Haley Avenue) not previously dedicated, 40 feet of right-of-way adjacent to this site for Deer Springs Way, a 54 foot radius at the northwest corner of Durango Drive (AKA El Capitan Way) and Deer Springs Way, and a 25 foot radius on the southwest corner of Durango Drive (AKA El Capitan Way) and Hitt Family court (AKA Haley Avenue) prior to the issuance of any permits or concurrent with any Map subdividing or overlying the property, whichever occurs first. Also dedicate all additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes and dedicate all additional rights-of-way required by Standard Drawings #234.1 #234.2 and #234.3 prior to the issuance of any permits or concurrent with any Map subdividing or overlying the property, whichever occurs first, unless specifically annotated as not required within the approved Traffic Impact Analysis.
18. Construct half-street improvements including appropriate overpaving, if legally able, on Deer Springs Way and Hitt Center Court (AKA Haley Avenue) adjacent to this site that meet Town Center Standards concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
19. Construct any incomplete half-street improvements on Durango Drive (AKA El Capitan Way) adjacent to this site concurrent with development of this site.
20. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
21. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 81– SDR-6317

CONDITIONS – Continued:

22. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
23. A private owner's association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
24. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services. 25. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.
25. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.
26. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the public right-of-way adjacent to this site prior to issuance of any permits or approval of construction drawings for this site.
27. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 81– SDR-6317

CONDITIONS – Continued:

28. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
29. Coordinate with the City Surveyor prior to the submittal of a Map for this site to determine mapping options; comply with the recommendations of the City Surveyor.
30. Site development to comply with all applicable conditions of approval for ZON-1620 and all other applicable site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-6226 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SERGIO L. PEREZ - OWNER: SHALIMAR HOTEL ENTERPRISES - Request for a Special Use Permit FOR A PROPOSED SUPPER CLUB WITHIN AN EXISTING RESTAURANT at 1401 South Las Vegas Boulevard (APN 162-03-202-001), C-2 (General Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 06/01/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	1
City Council Meeting	

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESDELL – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining because he owns property within the notification area and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

FLINN FAGG, Planning and Development Department, stated the proposed supper club meets all minimum standards of the Special Use Permit. There are no protected uses within the required separation distance. A condition has been imposed requiring a separation between the bar area and the dining area and staff believes that it can be accommodated with their floor plan.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 82 – SUP-6226

MINUTES – Continued:

DAVE EDDER, Nevada Gaming Application Consultants, 777 East Quartz Avenue, appeared with SERGIO PEREZ the applicant. MR. PEREZ has operated his business at this location for approximately eight years and has enjoyed tremendous growth. His customers have requested that he serve hard liquor so that they may enjoy drinks with their Cuban food. All conditions are acceptable except for Conditions 7 and 8. Because MR. PEREZ leases the restaurant from the hotel, he is not in a position to agree to the condition requirements. GINA VENGLASS, Public Works, indicated that Condition 8 had been removed prior to the item being heard before the Planning Commission. Regarding Condition 7, it is standard procedure for staff to request the dedication of 10 feet of right-of-way because Las Vegas Boulevard is planned for 100 feet wide in that location. She pointed out that the way the condition is written, if a part of the structure is within the area to be dedicated, the condition would not be enforced. She also explained that Public Works conditions to the property so if the dedication is required, it would be up to MR. PEREZ to coordinate it with the owner. MR. EDDER and MR. PEREZ were satisfied by that explanation.

COMMISSIONER McSWAIN stated that she understood the request of the customers and would be able to support the application.

CHAIRMAN NIGRO declared the Public Hearing closed.

(11:55 – 12:00)

4-2689

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 and Title 19.20.020 for a Supper Club use.
2. A barrier separating the bar area from the dining area must be provided in accordance with Title 19.20.020. A revised floor plan showing the barrier shall be submitted to staff for administrative review and approval prior to the application for tenant improvements or licensing.
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 82 – SUP-6226

CONDITIONS – Continued:

5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

Public Works

7. Dedicate an additional 10 feet of right-of-way for a total half-street width of 50 feet on Las Vegas Boulevard adjacent to this site prior to the issuance of any permits. This condition will not be enforced if the applicant can prove that a building structure is located within the area to be dedicated.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-6245 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER:
NEAR AND FAR, LLC - Request for a Special Use Permit FOR A PROPOSED INDOOR
SWAP MEET at 401 South Maryland Parkway (APN 139-34-811-047 and 139-34-811-052), C-
1 (Limited Commercial) Zone, Ward 5 (Weekly).

IF APPROVED: C.C.: 06/01/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – APPROVED subject to conditions and adding the following condition:

- *There shall be no more than six tenants.*
- **UNANIMOUS with STEINMAN and EVANS excused**

To be heard by City Council on 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

FLINN FAGG, Planning and Development Department, gave a brief explanation of the application. Staff recommended denial because the use is inappropriate relative to the existing multi-family structures that are adjacent to the property and because warehouse uses are not permitted within the C-1 district.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 83 – SUP-6245

MINUTES – Continued:

PEGGY POUND, 6324 Shady Valley Court, appeared on behalf of the applicant and clarified that the proposed usage is not a typical swap meet but will be more of a design center. Unfortunately, the Planning Department did not have another classification that matched the usage more closely. Future plans for the site include a sales center for a high-rise development along with a piano store, a wedding planner and a florist. Once permits are issued for the high-rise, the uses will cease. There will not be second hand sales or t-shirt stalls on this site.

DUSTY BUCKEL, 8225 West Sahara Avenue, Suite C, said that the site had a 16,000 square foot building, which used to be occupied by paint and flooring stores. The flooring company that sold the building to the applicant has moved all of his merchandise into the warehouse portion of the store and he will remain there temporarily. There is a 10,000 square foot showroom in the center of the building and that is where the piano store owner wishes to be located. Another interested party is an interior decorator. The problem is that the building is zoned for only one building and the only designation available for multiple tenants is swap meet. The situation is temporary to keep the building occupied and to allow some income to be generated on the site while plans are made to build the condominium tower to be called The Island. Neighborhood meetings have been held. MS. BUCKEL also said that many neighbors were unhappy to hear a swap meet was being proposed on the site but after getting the situation clarified, they were fine with it.

COMMISSIONER McSWAIN asked why Wal-Mart and Smiths stores are not classified as swap meets since they have different vendors within their walls. MARGO WHEELER, Director, Public Works Department, clarified that a Wal-Mart is a single store with different departments. Separate units must have separate access for the public. COMMISSIONER McSWAIN noted that Smiths Food King rents to banks and those banks do not have separate access. VICE CHAIRMAN TRUESDELL added that Wal-Mart has several tenants that are both local and national and access to those businesses is dependent on Wal-Mart being open.

COMMISSIONER McSWAIN said the project as described was fine and any concerns over mitigating swap meet aspects of the project could be controlled with conditions or a two-year review. VICE CHAIRMAN TRUESDELL asked how the Board could be protected from a future use of a swap meet if they were to approve the item. MS. POUND stated that the applicant would be amenable to having a condition imposed which restricted the number of tenants in the structure and made the Board feel more comfortable.

COMMISSIONER GOYNES suggested that nearby schools might be interested in using the applicant's structure for special events and activities because they do not have multi-purpose rooms. MS. BUCKEL stated that the schools did come to the neighborhood meetings and that idea is being considered. There will be another neighborhood meeting in May and it will be

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 83 – SUP-6245

MINUTES – Continued:

discussed further.

CHAIRMAN NIGRO said he could support the item with a one-year review and with a restriction on the number of tenants. He asked about the reference made during staff report regarding the warehouse usage. MS. BUCKEL replied that she had no problem with telling the tenant they had to vacate but asked that a letter be drafted saying such so she could present the notice in writing. CHAIRMAN NIGRO explained that it would be on the conditions of approval letter.

CHAIRMAN NIGRO declared the Public Hearing closed.

(12:00 – 12:12)

4-2922

CONDITIONS:

Planning and Development

1. The use shall be reviewed in one (1) year. The applicant shall be responsible for notification fees associated with the review.
2. There shall be no warehouse use on this property.
3. Conformance to all Minimum Requirements under Title 19.04.050 for the Swap Meet, Indoor use.
4. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-6267 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: OSKA THAMMAVONGSA - OWNER: CITY CENTER ENTERPRISES, LLC - Request for a Special Use Permit FOR A PROPOSED TAVERN-LIMITED ESTABLISHMENT at 731 Fremont Street (APN 139-34-612-022), C-2 (General Commercial) Zone, Ward 5 (Weekly).

IF APPROVED: C.C.: 06/01/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining because he manages a building within the notification area and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

FLINN FAGG, Planning and Development Department, gave a brief explanation of the application. He reminded the Board that the applicant was previously heard in October to receive approval of a restaurant service bar. They have since decided to apply for a tavern/limited license instead.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 84 – SUP-6267

MINUTES – Continued:

NIKONE PHOMMALY, 5865 Glory Canyon Way, Las Vegas, NV 89142, appeared with the applicant and concurred with all conditions.

CHAIRMAN NIGRO declared the Public Hearing closed.

(12:12 – 12:14)

5-16

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements of Title 19.06.120 and Title 6.50.
2. Restricted Gaming shall be prohibited within this establishment pursuant to Title 6.40.155.
3. The property owner shall be required to participate in a proportionate share of the Entertainment District Streetscape Project, to be implemented and constructed by the City of Las Vegas.
4. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6244 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: FLEMING'S PRIME STEAKHOUSE - OWNER: LENA PICCOLI-OSTUNIO - Request for a Site Development Plan Review FOR A 524 SQUARE FOOT ADDITION TO AN EXISTING RESTAURANT on 8.26 acres at 8721 West Charleston Boulevard (APN 163-05-502-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining because the underlying applicant of Fleming's is Outback Steakhouse, Inc., and his company, Cornerstone Company, is currently completing a transaction with them and STEINMAN and EVANS abstaining

This is Final Action

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, gave a brief explanation of the application. The proposed addition meets all commercial development standards and is consistent with the General Plan and other applicable sections of Code. He noted that a previous condition of approval on one of the related cases on this site prohibits any future parking variances. A furniture store has recently opened in the site and because of that, the parking

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 85– SUP-6224

MINUTES – Continued:

requirement has been lowered. If that space is converted back to retail in the future, the site would exceed the parking requirement.

ANTHONY WRITE, 630 South Fourth Street, appeared on behalf of the applicant and concurred with all conditions.

CHAIRMAN NIGRO declared the Public Hearing closed.

(12:14 – 12:17)

5-89

CONDITIONS:

Planning and Development

1. Conformance to all applicable conditions of approval for Rezoning (Z-0071-00), Site Development Plan Review [Z-0071-00(1)] and Special Use Permit (U-0147-00).
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted.
3. A revised landscape plan showing new plantings adjacent to the building shall be submitted to and approved by Planning and Development Department staff, prior to the time application is made for a building permit.
4. All development shall be in conformance with the site plan and building elevations date stamped 03/09/05, except as amended by conditions herein.
5. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

6. Meet with the Flood Control Section of the Department of Public Works to determine if a drainage study update will be required for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
7. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-71-00 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6260 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: AMESBURY VILLEGAS TRUST - Request for a Site Development Plan Review FOR A PROPOSED TWO STORY, 9,805 SQUARE FOOT OFFICE BUILDING AND WAIVERS OF LOT COVERAGE AND PERIMETER LANDSCAPE STANDARDS on 0.40 acres at 703 South Eighth Street (APN 139-34-810-042), P-R (Professional Office and Parking) Zone, Ward 5 (Weekly).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions, adding the following condition:

- *Prior to the issuance of the demolition permit, the City Historic Preservation Office shall be allowed to inspect the interior and exterior of the home and make a record of the structure.*
- *The applicant shall submit a copy of the Tenant Improvement plans presented at the Planning Commission meeting to the Planning and Development Department.*

And amending the following condition:

2. **All development shall be in conformance with the site plan and building elevations, submitted at the meeting, except as amended by conditions herein. The applicant shall indicate on a revised site plan, prior to permit issuance, how trash collection will be handled on site.**

– UNANIMOUS with STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 86 – SUP-6260

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, gave a brief explanation of the application. The existing 5,000 square foot building would be removed and replaced with a two-story building. The lower level would be parking with 9,800 square feet of office space above it. The project does not meet Code entirely. Perimeter landscaping on the east side is five feet where eight is required and the south does not have any landscaping because the parking abuts the alley. Also, there is a minor incursion into the front setback by some pop outs that are architectural details. The project exceeds the lot coverage for the zone as 50 percent is the maximum and the project is at 70 percent. The deliveries will be minimal; there are no loading requirements. A revised plan will be submitted indicating how the trash on the site will be handled. The new plan would also show a balcony revision along the alley side of the building.

LES TRAVIS, Gary Guy Wilson Studios, 7625 South Industrial Road, Suite 100, appeared with Architect, GARY GUY WILSON and TOM PARIS, a partner with the applicant's firm. MR. WILSON explained the team has been working on the tenant improvements on the second floor office space since beginning the application process. In the original submittal, there was an outdoor patio to be used for break space. After working on the tenant improvements, they decided to connect four of the outer offices to the open courtyard with a balcony. The balcony will not be enclosed. Regarding trash, the parking structure below the office space will have a space where containers on rollers would be held. The rollers would allow the containers to be rolled up to the alley for trash pick up.

VICE CHAIRMAN TRUESDELL voiced concerns over the trash containers being left in the alley instead of being replaced to the lower level parking area. MR. WILSON showed the rear elevation of the building with the openings where the containers would come out. VICE CHAIRMAN TRUESDELL noted that on the plan, the area MR. WILSON was referencing was marked as a parking space. He questioned if losing the space to the trash container would still allow the project to meet parking requirements. MR. WILSON replied that there is a six-foot space for the container there in addition to the parking spaces. MR. LEOBOLD confirmed MR. WILSON'S comments about the six-foot space but questioned where the containers would go when in the alley on collection day. VICE CHAIRMAN TRUESDELL stated that he liked the project and would support it but did not want to see the trash containers left out in the alley.

COMMISSIONER McSWAIN confirmed with MR. WILSON that the present structure was built in the 1950's. She pointed out that many developers in the area have tried to maintain the structures and do conversions. MR. PARIS explained that the property is comprised of two separate houses. One was built in the late 40's or early 50's with the second structure following

a few years later. The previous tenant had purchased the two properties separately and joined the

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 86 – SUP-6260

MINUTES – Continued:

structures with a breezeway. The applicant had considered an addition to the two homes but it is not possible due to having two distinct sets of electrical wiring and sewer lines. COMMISSIONER McSWAIN asked if staff had an opinion about how the character of the preserved, older homes change with development. MR. LEOBOLD replied that staff would like to see the aesthetics of the projects remain but economics do have to be taken into consideration as well. MR. WILSON told COMMISSIONER McSWAIN that several of the palm trees and the large shade trees will be kept. MARGO WHEELER, Director, Planning and Development Department, suggested adding a condition that the applicant allow the City's Historic Preservation Officer access to the house to make a record of the structure.

COMMISSIONER DAVENPORT asked if a condition could be imposed to address the VICE CHAIRMAN'S concerns regarding the trash containers. He suggested a location for an enclosed trash structure in the alley. CHAIRMAN NIGRO thought it would be best to direct the applicant to work with staff to find a location for the trash enclosure and also to give staff a more accurate description of which existing improvements and trees on the site will stay. MR. LEOBOLD stated the applicant will retain one palm tree on the Garces Street side and four Chinese Elms that are on the 8th Street side.

CHAIRMAN NIGRO declared the Public Hearing closed.

(12:17 – 12:32)

5-162

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped 03/11/05, except as amended by conditions herein. The applicant shall indicate on a revised site plan, prior to permit issuance, how trash collection will be handled on site
3. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 86 – SUP-6260

CONDITIONS – Continued:

4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters, along both Garces Avenue and 8th Street. Alternately, the applicant shall plant larger palms, at least 12 to 14 feet in height, in the locations indicated for palm trees on the landscaping plan along Garces Avenue. A waiver of the landscape buffer width along the south property line to a minimum of five feet, and of the tree planting requirement in this area, and a waiver of the entire landscape buffer area to the east of the site, are hereby granted.
5. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
6. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems may result in legal action taken by the City of Las Vegas.]
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets
9. Perimeter and security lighting shall utilize 'shoe-box' fixtures, wallpack lighting and downward-directed lights. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. All City Code requirements and design standards of all City departments must be satisfied.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 86 – SUP-6260

CONDITIONS – Continued:

Public Works

12. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision map or other mapping is necessary; if a map or joining is required, it should record prior to the issuance of any permits for this site.
13. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
14. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.
15. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located within the public rights-of-way adjacent to this site prior to occupancy of this site.
16. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of map subdividing this site, whichever may occur first. Provide and improve all drainageways as recommended.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6266 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: INLINE CONSTRUCTION SERVICES, INC. - OWNER: MARIA STELLA GAERLAN - Request for a Site Development Plan Review FOR A PROPOSED ONE STORY, 3,050 SQUARE FOOT MEDICAL OFFICE BUILDING; WAIVERS TO ALLOW A 13 FOOT FRONT YARD SETBACK WHERE 20 FEET IS THE MINIMUM REQUIRED; AND TO ALLOW WAIVERS OF THE FOUNDATION AND PERIMETER LANDSCAPING STANDARDS on 0.36 acres at 2525 West Charleston Boulevard (APN 162-05-511-007), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – APPROVED subject to conditions and adding the following condition:

- *The applicant shall work with staff to enhance the articulation of the eastern elevation of the building.*
- **UNANIMOUS** with **STEINMAN** and **EVANS** excused

To be heard by City Council 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, gave a brief explanation of the application. The project conforms to the provisions of the P-R (Professional Office and Parking)

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 87 – SDR-6266

MINUTES – Continued:

Zone except for the requested waivers for the front yard setback and perimeter foundation landscaping standards. Staff found the waivers to be minor and recommended approval.

LARRY RUBENSTEIN, 11699 Glowing Sunset Lane, appeared on behalf of the applicant and concurred with all conditions. The applicant will take an existing residence, which no longer meets Code and Zoning/Parking requirements and will replace that residence with a same sized building in a different location on the parcel so the project could adhere to commercial curb cuts, parking requirements etc. The requested waivers are necessary to complete the project as planned. The setback waiver is necessary because of residential zoning to the south. The requirement is 52 feet from the property line and the small size of the lot cannot accommodate that.

COMMISSIONER McSWAIN liked the drawings. She asked if the subject site was close to abutting adjacent property on the east site. MR. RUBENSTEIN said they would abut the commercial directly to the east. There is an existing six-foot wall at the property line and he was unaware of how far back their building was set back from that wall. She was concerned that there was no articulation on the east wall. She asked that he enhance the back of the building since it was visible from Charleston Boulevard. He agreed.

CHAIRMAN NIGRO declared the Public Hearing closed.

(12:32 – 12:37)

5-660

CONDITIONS:

Planning and Development

1. Waivers of the 13-foot front yard setback where 20 feet is the minimum required and of the foundation and perimeter landscaping standards are hereby granted.
2. All development shall be in conformance with the site plan and building elevations, date stamped 03/14/05 except as amended by conditions herein.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 87 – SDR-6266

CONDITIONS – Continued:

5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 87 – SDR-6266

CONDITIONS – Continued:

14. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.

Public Works

15. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
16. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. Obtain an Encroachment Agreement for all landscaping and private improvements, if any, in the public right-of-way adjacent to this site.
18. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
19. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

TMP-6189 - TENTATIVE MAP - RYLAND HOMES @ CLIFFS EDGE PODS 305 AND 309 - APPLICANT/OWNER: RYLAND HOMES NEVADA, LLC - Request for a Tentative Map FOR A 275 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 40.81 adjacent to the northeast corner of Durango Road and Puli Road (APN 126-24-310-003 and 126-24-410-001), PD (Planned Development) Zone, Ward 6 (Mack).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESDELL – APPROVED subject to conditions and amending the following condition:

3. **Major Modification (MOD-6279) to the Cliff's Edge Master Development Plan and Design Standards by City Council *shall be approved before building permits can be issued for this project.***

– **UNANIMOUS** with McSWAIN abstaining because her company, Terra Contracting, is doing work for Ryland Homes and STEINMAN and EVANS excused

This is Final Action

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, explained that Ryland Homes has developed a product, which spans two pods in the Cliffs Edge neighborhood, and a two aspects of their proposal did not meet the Cliffs Edge Master Development Plan Standards. One was the density because part of the 5.5 unit per acre pod with up to 6.7 unit per acre density on it. Also,

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 88 – TMP-6189

MINUTES – Continued:

the products include z-lots and standard courtyard products and the z-lot setbacks on the northern pod could not conform to the established setbacks for the low-density designation.

The application for MOD-6279 is being reviewed at this time and staff wanted the subject application to be heard with or after that Major Modification. Unfortunately, that MOD application got pushed back to the 5/26/2005 Planning Commission Meeting because of a requirement to hold a neighborhood meeting. Ryland Homes did not want to wait until then and that is why the item is on the non-public hearing portion of the agenda with a denial recommendation. The modification would change the pod densities so unit counts could remain even by dropping density to counteract the higher density areas. If that modification is approved, the applicant's proposal would conform. Until MOD-6279 is approved, if it is approved, by Council the modifications are not in place.

BOB GRONAUER, Attorney, Kummer Kaempfer Bonner and Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He suggested amending Condition 3 so that it did not require prior approval of MOD-6279 but instead could add verbiage to the end of the condition stating "shall be approved before building permits can be issued." By doing so, the applicant can proceed forward with the Tentative Map but the Major Modification would have to be approved before building permits could be pulled.

CHAIRMAN NIGRO said he could understand staff's frustration with the plan not being updated and he recalled dealing with a similar issue on a Toll Brothers application. He would support the application but felt it was important to respect staff's position and make it clear on the record that there would not be any other applications such as this considered until the Cliffs Edge plan gets adopted. ATTORNEY GRONAUER understood. MR. LEOBOLD informed the Chairman that Ryland Homes did work with staff to find a product that met all the standards except the ones being discussed.

CHAIRMAN NIGRO declared the Public Hearing closed.

(12:37 – 12:43)

5-823

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 88 – TMP-6189

CONDITIONS – Continued:

2. All development shall conform to the Conditions of Approval for Rezonings (ZON-2184, ZON-1520 and ZON-3241), the Cliff's Edge Master Development Plan and Design Standards, and the Cliff's Edge Development Agreement, as well as the conformance to the 03/01/05 date stamped plans.
3. Prior approval of Major Modification (MOD-6279) to the Cliff's Edge Master Development Plan and Design Standards by City Council.
4. A lot fit analysis shall be submitted prior to the recordation of the Final Map.
5. Street names must be provided in accord with the City's Street Naming Regulations.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.
7. As an attachment to the civil bond, any part of which shall not be released until this condition has been satisfied and prior to the sale of any lots or units the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels.

Public Works

8. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements must be executed by the property owner(s) of record prior to final approval of this application by City Council. The written agreements will allow the addition of vacated or other property previously outside the district boundary into the Providence Special Improvement District.
9. Petition of Vacation VAC-5130 shall record prior to the recordation of a Final Map for this site abutting or overlying the area being vacated.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 88 – TMP-6189

CONDITIONS – Continued:

10. If not constructed by the Master Developer, construct the full width street improvements on Puli Road and half street improvements on Shaumber Road, including appropriate overpaving, adjacent to this site concurrent with development. In addition, a minimum of two lanes of paved, legal access to the nearest constructed public street shall be in place prior to final inspection of any units within this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
11. If not constructed at the time of development by the Master Developer, landscape and maintain all unimproved right-of-way on Puli Road and Shaumber Road adjacent to this site concurrent with development of this site.
12. If not obtained at the time of development by the Master Developer, submit an Encroachment Agreement for all landscaping and private improvements in the Puli Road and Shaumber Road public rights-of-way adjacent to this site.
13. Gated entry drives shall be designed, located and constructed in accordance with Standard Drawing #222a.
14. The Final Map for this site shall be labeled as a “Merger and Resubdivision”.
15. A Homeowners’ Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
17. Public drainage easements must be common lots or within private streets or private drives that are to be privately maintained by a homeowner’s association or maintenance association for all public drainage not located within existing public street right-of-way.
18. Private streets and private drives must be public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowners’ Association.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 88 – TMP-6189

CONDITIONS – Continued:

19. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Final Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
20. Revise the Common Element Description adjacent to Shaumber Road on Sheet 1 to reflect Common Element “E-E”, as was recorded on the Cliffs Edge Parent Map (FMP-4358).
21. Show and dimension the common lots and adjacent right-of-way on the Final Map(s) for this site as recorded by the Cliff’s Edge parent map and include the recorder’s information (subdivision name, book and page number).
22. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
23. Site development to comply with all applicable conditions of approval for previous zoning actions, Master Drainage Studies, Cliff’s Edge Parent Map, Cliff’s Edge Development Standards, Design Guidelines and Development Agreement, the “Sight Distance Along Shaumber Road within Cliff’s Edge” design document dated 03/04/04 and all other applicable site-related actions.
24. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 88 – TMP-6189

CONDITIONS – Continued:

approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - TXT-6421 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.16.040 relating to standards for the Expansion of a Nonconforming Use in a Conforming Building.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map – Not Applicable
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – Motion to bring forward and **HOLD IN ABEYANCE** Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; **TABLE** Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; **WITHDRAW WITHOUT PREJUDICE** Item 18 [GPA-6270] – **UNANIMOUS** with **EVANS** and **STEINMAN** excused

MINUTES

There was no discussion.

(6:04 – 6:20)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

TXT-6278 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER:
CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.04.020, "Accessory Uses and Structures," in order to revise the standards applicable to Garage or Yard Sales; to Amend Title 19.14.040, "Signs Permitted Without a Certificate," to revise the standards for Garage Sale signage; and to amend Title 19.20.020, "Words and Terms Defined," in order to revise the definition for Garage or Yard Sales.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map – Not Applicable
2. Conditions For This Application
3. Staff Report

MOTION:

TRUEDELL – APPROVED subject to conditions – UNANIMOUS with EVANS and STEINMAN excused

To City Council in Ordinance Form

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

DEVON SMITH, Manager, Neighborhood Response, gave a brief overview of the application and the current standards applicable to garage or yard sales. Some of the residents' concerns were garage signs are being left in the right-of-ways after the garage sales. In addition, frequent garage sales are causing unwanted traffic and debris. The amendment request would allow Neighborhood Services to better regulate and monitor garage sales activities, as well as, educate the citizens on municipal code and services.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 90 – TXT-6278

MINUTES – Continued:

Regarding Condition 1.2a, COMMISSIONER McSWAIN requested the condition be clarified so that it addresses specific retail sales. MR. SMITH could not verify for VICE CHAIRMAN TRUESDELL what the exact number of garage sales within the City limits on an average weekend was. MR. SMITH informed the Commission that individuals can register on-line, by telephone or mail to have a garage sale. He reiterated that the department has received numerous complaints of certain individuals having garage sales every weekend. Citizens would be offered the information pertaining to the regulations (i.e. only two garage sales are allowed per year), but no citations would be issued.

VICE CHAIRMAN TRUESDELL confirmed with MR. SMITH that Condition 1.2a regarding retail sales would be clarified prior to City Council.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(6:06 – 6:12)

1-332

CONDITIONS:

1. Title 19.04.020, “Accessory Uses and Structures,” is hereby amended as follows:

(A) General. An accessory use or structure which is customarily incidental to the principal use or structure, and is located on the same lot or tract of land shall be permitted as an accessory use without being separately listed as a permitted use.

(B) Particular Accessory Uses. In any residential zoning district, each of the following uses shall be considered an accessory use to the extent described, without being separately listed in the Land Use Tables, provided in each case that the use is incidental to the property’s use as a dwelling and does not alter the character of its use as a dwelling of the character permitted in the respective district:

(1) The renting of rooms, providing of board, or both, for not more than three unrelated persons, where no care is provided;

(2) Garage or yard sales, provided that:

(a) No property may be offered for sale which has not been owned and used by the occupant of the premises;

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 90 – TXT-6278

CONDITIONS – Continued:

- (b) No more than two garage or yard sales shall be conducted on the premises in any calendar year, and each sale must be registered in advance with the Department of Neighborhood Services;
- (c) No garage or yard sale shall be conducted for longer than three days duration;
- (d) Garage or yard sales may be conducted during the daylight hours only; and
- (e) ~~No more than one outdoor sign may be used to advertise a garage or yard sale. Such a sign must not exceed sixteen square feet in size and must be located within the boundaries of the lot on which the garage or yard sale takes place or on other private property, with the consent of the owner thereof.~~ All signage shall conform to the provisions of LVMC 19.14.040(E).

2. Title 19.14.040(E), “Signs Permitted Without a Certificate,” is hereby amended as follows:

(E) Garage ~~and~~ or Yard Sale Signs. Garage ~~and~~ or yard sales ~~sale~~ signs, meeting all of the following requirements, are permitted in all zoning districts and do not require a sign certificate:

- (1) Maximum number. ~~Three~~ One per event.
- (2) Maximum area. No ~~garage or yard sale~~ sign shall exceed ~~six~~ sixteen square feet in area.
- (3) Maximum height. Six feet.
- (4) Location. No such sign shall be placed on private property without the permission of the property owner(s), and no such sign shall be placed on any public land, including rights-of-way, traffic medians, public sidewalks, public trails, bicycle paths on City property, in City rights-of-way, or on fixed structures such as light poles or traffic signals.
- (5) Additional standards.
 - (a) No such sign may be used more than twenty-four hours prior to the start of the garage or yard sale event.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 90 – TXT-6278

CONDITIONS – Continued:

- (b) The property owner(s) shall be responsible for removal of the signs at the end of the garage or yard sale event.
- (6) Illumination permitted. No.
- 3. Title 19.20.020, “Words and Terms Defined,” is hereby amended as follows:

“~~Garage Sale~~” “Garage or Yard Sale” means the sale of personal property ~~which is conducted on premises~~ from a parcel that is located within a residential district and upon which is located a dwelling.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

TXT-6359 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER:
CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.04.050, Liquor Establishment (On-Sale/Off-Sale/On-Off Sale) [C-1 (Limited Commercial), C-2 (General Commercial), C-M (Commercial/Industrial), M (Industrial)].

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map – Not Applicable
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – Motion carried with TRUESDELL voting NO and EVANS and STEINMAN excused

To City Council in Ordinance Form

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

MARGO WHEELER, Planning and Development, gave a brief overview of the application. She pointed out that this amendment would reduce the square footage requirement for liquor establishments seeking a waiver from protected uses from 20,000 square feet to 12,000 square feet. The Planning and Development department sees more establishments that are slightly smaller than the 20%. Therefore, to allow a similar access to the application procedure, there was a request to bring this application forward.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 91 – TXT-6359

MINUTES – Continued:

VICE CHAIRMAN TRUESDELL was concerned about reducing the square footage again, as it has been previously reduced from 50,000 to 20,000 square feet on a past application. COMMISSIONER McSWAIN questioned if the application would have an impact on applicants in the newer areas of the entertainment district downtown whose retail floor space is less than the 20,000 square feet. MS. WHEELER responded that the amendment is Citywide and not specific to any particular area. In addition, this amendment would allow for a greater number of users to apply for this type of application. Each application is looked upon as a discretionary permit so each application would go before the Commission for approval.

CHAIRMAN NIGRO declared the Public Hearing closed.

(6:06 – 6:12)

1-332

CONDITIONS:

1. 19.04.050 Liquor Establishment (On-Sale/Off-Sale/On-Off-Sale) [C-1, C-2, C-M, M] subsection 7. c and d is hereby amended as follows:

7. c. In connection with a proposed retail establishment having between ~~20,000~~ [12,000] square-feet and 50,000 of retail floor space, if no more than 10% of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages; or

d. In connection with a retail establishment having less than ~~20,000~~ [12,000] square-feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages [is no more than 10% of the retail space regularly devoted to the display or merchandising of alcoholic beverages,] and each use to be protected are separated by a highway or a right-of-way with a width of at least 100 feet.

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

GARY LEOBOLD, Planning and Development Department, informed the Commissioners that a handout was included in their packets regarding the Master Plan of Streets and Highways Amendment. The item relating to this handout would be heard at the 5/12/2005 Planning Commission meeting. Staff wanted to show some options for taking the 1.2 million square feet that were proposed and finding ways to retain Grand Montecito. The handout was for the Commissioners' consideration and no action was required.

(12:43 – 12:44)

5-1030

MEETING ADJOURNED AT 12:44 P.M.

Respectfully submitted:

STACEY CAMPBELL, DEPUTY CITY CLERK

LEAN COLEMAN, DEPUTY CITY CLERK